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ABSTRACT

The House Select Committee met to receive testimony from representatives of Northwest tribes about conditions affecting Native American children and their families. Eloise King of Colville Confederated Tribes (Washington) summarizes a wide range of human needs and recommends that Congress make funding available directly to tribes. John Navarro and Donna Olson discuss employment needs and opportunities including the Tribal Employment Rights Officers (TERO) ordinance. Lynne Walks-on-Top views economic and social problems facing the Spokane Tribe. Jeannette Whitfield of the Coeur D'Alene Tribe discusses the impact of the Indian Child Welfare Act. Marie and Diane Starr describe the Muckleshoot Youth Home (Washington) and other human service programs. Cheryl Henderson Peters and Lucy Shaffer-Peterson describe the Skokomish Sexual Abuse Prevention and Treatment Program. Marilyn Bentz of the American Indian Study Center focuses on urban Indians and the federal-Indian relationship. William Burke describes the Umatilla Tribe's child welfare services in Oregon. Sylvester Sahme and Bernice Mitchell outline the health services and needs of the Confederated Tribes of Warm Springs (Oregon). Janice Lopeman of the Squaxin Island Tribe (Washington) explains the use of community boards to mediate cases involving children and families. Woody Verzola describes the Indian Street Youth Program for dropouts. This report includes prepared statements, letters, and supplementary materials. (JHZ)

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NATIVE AMERICAN CHILDREN, YOUTH, AND FAMILIES
Part 1

HEARING

BEFORE THE

SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

SECOND SESSION

HEARING HELD IN SEATTLE, WA, JANUARY 7, 1986

Printed for the use of the
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NATIVE AMERICAN CHILDREN, YOUTH, AND FAMILIES

Part 1

TUESDAY, JANUARY 7, 1986

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES,
Seattle, WA.

The committee met, pursuant to notice, at 10 a.m., in the Daybreak Star Art Center, Discovery Park, Seattle, WA, Hon. George Miller presiding.

Members present: Representatives Miller and Lowry.

Staff present: Marcia Mabee, professional staff; and Maureen Mingey, minority staff assistant.

Chairman MILLER. The Select Committee on Children, Youth, and Families will come to order.

The purpose of this hearing is to explore trends and conditions affecting Native American children and the families in which they live.

This is the second day that the committee has spent with the representatives of tribes in the Northwest, and this hearing reflects the commitment we made to Native Americans when this committee was created, to give full consideration to the Native American community as they strive to raise their children in a healthy atmosphere.

We have traveled the country, the committee has, over the past couple of years, and we have tried to take pains to focus on those families with children who are in circumstances that have placed them at greater risk.

We believe that we have a special obligation to reach out to those in greater need, those who do not receive adequate services, those whose special circumstances make it difficult to survive and to flourish.

That is why we have chosen to focus this investigation on Native American families and children.

They are, after all, Americans living in unique circumstances.

They suffer from many of the problems that we see in the general population of the United States, problems that have occurred because of budgetary cutbacks and restraints, because of environmental problems affecting particular communities; but we also know that Native American families suffer those problems in greater numbers and greater percentages than the population generally.

That is the reason that we felt that we should spend some intensive time to give representatives of the tribes an opportunity to explain to us what their needs are, and what their problems are. We will report our information to Congress, share our concern with them regarding the status of families living on reservations, and the problems that confront them.

We hope that this hearing will help move some of the legislation now before the Congress, to assist Native Americans children and families.

I had the opportunity yesterday to spend the entire day at the Yakima Reservation and was pleasantly surprised with the sophistication of the delivery system that was there for families in trouble and children in trouble, and families with the special needs that we have referred to. But it also became very clear that it was a system that was underfunded and inadequate to meet the demand that was being placed upon it.

At the same time, I think I also got a greater understanding of some problems that arise due to the number of laws themselves which confront the tribes as they try to provide adequate services and resources for those families in need.

So, today, we will hear from representatives of other tribes with particular needs and concerns. I want to begin by thanking everyone who will testify today for their time, to all of those people who have been so helpful to the committee in organizing these couple of days in the Seattle area.

We will go from here to New Mexico and Arizona to finish up the week, talking to tribes and their representatives in the Southwest.

And, finally, I would like to say that I am delighted this morning to be joined by my colleague in the Congress, but, more importantly, my very, very dear friend, Congressman Mike Lowry, who is just, I think, one of the most decent people I have ever had the opportunity to serve with in the U.S. Congress—and he is also a pretty hard worker.

We both serve on the Budget Committee at the current time, and I would have to tell you that there is no more articulate spokesman for those programs that are designed to help families at risk than Michael has been over the last year.

I think he saw the folly of Gramm-Rudman when many people were still trying to design it to make it a model program. He really has been an outstanding spokesman for his district and for Native Americans generally.

And, I understand, Michael, we are in the building where you started it all; you announced for office for Congress the first time from this building, and then Mt. St. Helens erupted. I do not know what the connection is. But I know that Washington has never been the same since you have come to town.

OPENING STATEMENT OF HON. GEORGE MILLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES

Chairman MILLER. Today's hearing will explore trends and conditions affecting Native American children, and their families, in the Northwest. It is part of the committee's continuing assessment of the changing trends affecting children, youth, and families in the United States.

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As we have traveled the country trying to educate ourselves, we have taken pains to focus on those families and children whose circumstances have placed them at greater risk. We have a special obligation to reach out to those who need greater understanding and attention, those who do not receive adequate services, those whose special circumstances make it difficult to survive, and flourish.

That is why we have chosen to focus this investigation on Native American families and children.

They are, after all, Americans living in unique circumstances.

They suffer from much higher poverty rates, drop-out rates and alcoholism rates, than other families. As Native American families struggle against these odds, fewer jobs and services are available to them, and programs designed to assist them have been cut back.

This is a recipe for continued tragedy, where teen suicides and child abuse, drug abuse and other symptoms of family dysfunction which we have seen across America, in all kinds of families, will increase.

Because one-in-five American children now live in poverty; because there are so many working parents; because recessions and unemployment have put millions more families on shaky grounds; because billions have been cut from the poor and given to the rich, all families and children now live in circumstances different than those you and I grew up in.

Some have survived better than others. But, some have suffered more, and deserve our respect, and our intense attention.

That is why we are beginning a week's investigation of Native American families and children, with hearings and visits to reservations, schools, and clinics. As always, we will also highlight as many successful prevention and intervention programs as we can, so that others can learn from them.

We are delighted to hold our first hearing of this investigation today in Seattle.

[Additional material submitted by Chairman George Miller is retained in committee files.]

Chairman MILLER. Congressman Lowry.

Mr. LOWRY. Well, thank you, Mr. Chairman, and thank you very much for taking time out of your extremely busy schedule; you have got to be one of the busiest Members in the House of Representatives. The chairman is also chairman of the major subcommittee on the Interior, serves on the Budget Committee, sitting right beside me—and is chairman of this select committee.

I want to thank you very much for allowing me the opportunity to sit in on your select committee and for keeping the commitment that we all knew you would, to specifically look at the questions and the problems of Native Americans with this select committee.

I think in our testimony today, we will hear where some programs work well, and would work very well if they were funded.

And this mindless Gramm-Rudman is probably one of the biggest mistakes that has been made in Washington, DC, in my years there because it will take away from us the opportunity to prioritize and cut where it really makes sense to do so.

And I think the information we get today, Mr. Chairman, is going to be helpful with our work ahead of us. I think we are going to find where some laws aren't working. And where they are not working, let's change them. Where they are working, let's make a commitment of this Government to do the job.

So, thank you very much, Mr. Miller.

Chairman MILLER. Thank you.

Our first panel will be made up of Eloise King, who is the director of Child Welfare Services for the Colville Confederated Tribes from the State of Washington;

John Navarro, the TERO training director of the Council on Tribal Employment Rights, Seattle, WA;

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Donna Olson, the employment and training branch manager from the Nez Perce Tribe in Idaho; and

Lynne Walks-on-Top, the economic development planner for the Spokane Tribe of Washington.

If you will come forward and take your seats at the table here—this is very informal—we want to welcome you to the committee. We will take you in the order in which I called your names, and if you will speak directly into the mikes so that those in the audience can hear you, so the court reporter can hear you; and if for some reason in the audience you can't hear, just speak up, and we will try to make some other arrangements, and move you all in closer, or something.

So, thank you very much for agreeing to testify, and welcome.

And, Eloise, we will begin with you.

STATEMENT OF ELOISE KING, DIRECTOR, CHILD WELFARE SERVICES, COLVILLE CONFEDERATED TRIBES, WASHINGTON

Ms. KING. Thank you very much, Congressman Miller, Congressman Lowry.

This is a real opportunity for me to speak with you today and discuss with you problems that we are facing on the Colville Indian Reservation that are faced by a lot of other people throughout the United States on other reservations.

Right now we are suffering a real depression in our economy. We have a timber resource economy and as you have probably read and heard about on the news, the timber resources are not doing very well throughout the country.

Most of our human resource programs are funded primarily from a combination of our own timber resource revenue and from the Federal and State Governments.

We are experiencing a lot of problems with our children, youth, and families. Some of them are historical and some of them are being stimulated by this downturn in the economy.

Right now we have a 70-percent unemployment factor; we are experiencing a lot of family violence, a lot of child abuse and neglect. We are experiencing a high incidence of alcohol and drug abuse throughout the reservation.

Our health problems are also being stimulated by these problems; we still do not have access to all of the care that is needed for our families and even though we do have a multitude of programs, that I have listed in my attached documentation, we do not have appropriate nor adequate funds to cover all of the needs that we have.

We have a population on the reservation of over 7,000 people. Of that, over 4,000 are Indians that are enrolled with the Colville Confederated Tribes.

Most of those people do require these services. For my program alone in child welfare, I have 4 staff people and we have served over 450 families within the last year. Of those cases, we have approximately 30 active sexual abuse cases that are still not being taken care of by the local court.

We still have a problem of dealing with the State systems, even though the Indian Child Welfare Act was enacted. There is not any

real recognition by some of the State courts, nor of the local State offices of the Indian Child Welfare Act.

Some of the programs that are contracted for, provision of services at the tribal level, are the alcohol program, mental health but still the funds are not adequate.

We have an overflow of clients within each of these program areas and we are still experiencing a lot of need. Some of the legislation that you discussed that has been enacted is not being implemented because there are so many inconsistencies in that legislation.

The funding, of course, is not being provided, even though it was talked about within the development of that legislation.

Some of the specific areas will be included in the backup documentation from some of the other speakers. Under the Indian Child Welfare Act, we asked for and did not get adequate funding; we are still having complications with negotiating with HHS. They finally started putting out some funding this year, which was, I think, about $3 million.

All this funding is on a competitive basis. This does not provide funding on a consistent basis, and certainly not to meet the needs of the people on the reservations.

Some of our traditions are still being held dearly by a lot of us, but a lot of them have been destroyed because of historical things that have occurred and because of the disfunction that has been created by the dependence that has been imposed by the Federal and State governments.

We are trying very hard to retain this traditional way of life, even though a lot of it can never be recaptured.

Within the structure of the tribes, we have some very strict standard morals that we are trying to reactivate and keep alive so that our youth will not be lost. But they are suffering a lot of inconsistencies because of the problem of assimilation.

We have schools on the reservation that are trying to address these issues, as well as around the reservation. We are trying to develop our educational programs to be more consistent with the outside world so that the kids will be more competitive when they do reach the society that they have to deal with.

Right now, we are in the process of negotiating a contract with the local public school system, and the only remaining boarding school on the Colville Reservation, I believe, in the whole Northwest.

This funding will be in conjunction with some 874 funds that will come out of the Department of the Interior. This will allow our school and the local public school to integrate.

Schools bus the kids to the local schools for some of their classes; therefore, they will become more able to become competitive, which is not a good term for a lot of our people, but nonetheless necessary on the outside, because we have a huge dropout rate when they get to the public school system after they get out of the schools on the reservation.

The children have a lot of differences, cultural differences, and that is one of the biggest reasons for their dropout, because they just are not able to fit in.

We have a lot of health care problems. They are just massive.

Right now, we are suffering a lot of juvenile pregnancies. We had a 45-percent increase last year alone. This is a result of the children not having the home life they want, so they find their comfort with their peer group and oftentimes this results in pregnancies.

The juveniles are suffering, again, from a high incidence of alcohol and drug abuse. We have children starting at the age of 5 and 6 that are using inhalants such as gas, Pam that they use for cooking, and the current mode is the White-out that they use for correcting papers in school.

By the time the children become teenagers, a lot of them are chronic alcoholics. Our reservation is experiencing a high incidence in that area.

There is a high incidence of health problems. A lot of these people will not do any medical followup; they are not receiving the appropriate health education within the school systems.

There is a conflict between the traditional use of medicines and the contemporary medicines, as well as the providers, because a lot of our providers are not yet professionals in that area.

They do better if we, as Indian people, can be the providers in all of our programs.

The adults are suffering still with a high incidence of health problems. We have extremely high incidence of diabetes and heart problems; the alcohol and polydrug use and abuse; they do not have appropriate or adequate understanding of chronic disease; therefore, they do not seek the treatments that they need, nor do they have the followup that they need.

There is a lot of obesity because of very poor nutrition, and we have a lot of people—I would say 65 percent of the people are poverty level on the reservation. We have a few programs, but they are still not adequate. We receive some assistance from the urban area, such as Food Bank that I was on the board of way back in the early seventies, here in Seattle.

There are some other food programs that we get assistance from, but it is still not adequate.

The shelter problems are massive. We suffer right now from high costs of electricity in the winter, even though we are located right near Grand Coulee Dam. Our costs on the reservation for electricity run about $340 a month, and that is how most of the heat is provided on our reservation.

I would like to close with one recommendation: That is, that the Congress consider consolidating the funds for children, youth, and families, and make this funding available directly to the tribes, whether that is provided as a line item in your budgets for HHS, Department of the Interior, whomever; just as the States receive this direct funding, I feel that is the only way that we can deal with our problems, and we have the capability to deal with them. We have the people that can deal with these problems and are becoming more professional in these areas.

We are able to contract on a limited basis for a limited amount of funds at this time, but I would like to see all of these funds made directly available to the tribes.

Thank you.

Chairman MILLER. Thank you.

[Prepared statement of Eloise King follows:]

PREPARED STATEMENT OF ELOISE KING, MEMBER OF THE COLVILLE CONFEDERATED TRIBES, AND DIRECTOR OF CHILD WELFARE SERVICES FOR THE TRIBES

My name is Eloise King. I am an enrolled member of the Colville Confederated Tribes and the director of Child Welfare Services for the Tribes.

The 1.4 million acre Colville Indian Reservation is one of the largest in the Northwest with a population of 7,439.

The Colville Tribe is experiencing severe economic problems due to a depressed timber economy, the Tribes major source of income and employment. (1981 - 28.3 million in sales; 1985 - 5.2 million in sales)

There is 70% unemployment. The lack of economic opportunity, plus the other factors as outlined in the attached statements from the major service areas discuss the current trends and conditions affecting children, youth and families on the Colville Indian Reservation.

The incidence of child abuse and neglect has increased at an alarming rate from 342 in 1982 to over 500 cases in 1985. The sexual abuse cases from 3 in 1983 to 25 in 1985.

The destruction of the traditional and functional tribal social norms and economics fostered by the federatl government's economic dependency has resulted in major mental health problems in the majority of the Indian population and high alcohol and substance abuse in children, youth and families.

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Juvenile pregnancy is 25%. Adverse outcome of pregnancies, for example: spontaneous abortion, poor diet, fetal alcohol syndrome.

Children are suffering from poor nutrition. There is a high indence of otitis media, high incidence of accidents/injuries.

Alolescents: Lack of medical follow-up and health education, increased alcohol and polydrug use/abuse, sexual promiscruity, increased accidents and suicides and poor nutrition.

Adults: Lack of responsibility for personal health for several reasons, change in behaviors related to health problems, for example: poor nutrition resulting in high incidence of diabetes mellitus, obesity, cancer, alcohol/polydrug use/abuse, inadequate understanding of chronic disease. Inability to integrate traditional vs modern health delivery systems, poor accessibility to health clinics for several reasons.

The high costs of food and shelter; for example: the cost of electricity in the rural areas of the Reservation (average about $325. per month during the winter.

Traditionally Indian families have tried to help one another. Today it is almost impossible to assist another family because of lack of resources. The children of today are disrespectful of their elders and others in the community because of the breakdown in the traditional oral communication and teaching of the traditional mores.

The incidence of alcohol among the youth is critical. 90% of the referrals are in middle to late stages of chronic alchololism. There are many youth that aren't referred. There are more families now coming in for help to develop coping skills.

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Recommendations

Consolidate funds for children, youth and families as line items for Indians (Native Americans) direct funding from Congress through HHS based on need as established by the Tribes

Research funds as direct funding for Tribes to use.

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A. Statement of Problem

1. Tribal Need:

The incidence of child abuse and neglect on the 1.4 million Colville Indian Reservation is increasing at an alarming rate. In the past three (3) years, child welfare cases (not referrals) have risen from 342 in 1982 to 399 in 1985. These incidences are attributed to an extremely high Indian unemployment rate of 60%, emotional stress, lack of parenting skills, significant alcoholism, a static Reservation population growth, and a depressed Tribal and Reservation economy.

This past year, the Colville Tribal Child Welfare program made 24 actual Indian child placements resulting in the breakup of 20 Indian families. The 399 clients required a specific discipline of services, including: family counseling; instructional parenting; physical, sexual and emotional child abuse counseling; and finally, coordinate effective treatment for client abuse by recommending specific program counseling and treatment. The incidence of child abuse and neglect can be identified in the following specific areas: Emotional Child Neglect and Abuse; Sexual Child Neglect and Abuse; Physical Child Neglect and Abuse; and Juvenile Delinquency.

The major problem of child abuse exists in the wide range of individual and family differences. Often, the child abuse problems confronting the Tribe are complex and difficult to deal with. Emotional pressures, poverty, drug and alcohol abuse, social isolation, inadequate housing, family financial status and Indian assimilation in today's lifestyles are recurring causes for child abuse on the Colville Indian Reservation. In addition, limited program services, geographical location, and distance are added causes which hinder child abuse treatment.

4-6-

In respect to the Colville Indian Reservation, the increase of reported child abuse and neglect incidents can be attributed to the preceding described conditions. These conditions will be addressed by this proposal.

2. Results and Benefits:

The impact of receiving funds from the Indian Child Welfare Act (PL 95-608) will allow the Colville Confederated Tribes (CCT) to continue to operate and maintain a Tribal Child Welfare program which is designed to promote Indian family stability on the Colville Reservation. The proposed program facilities would be utilized for client and family counseling and treatment; an office to regulate and license Indian foster and adoptive homes; enforce the Child Welfare Codes identified in the CCT Law and Order Code; represent Indian families in Tribal, State and/or Federal child custody proceedings; coordinate existing services for client treatment; educate and train Indians, on and adjacent to the Colville Indian Reservation in skills relating to child and family assistance; fulfill the legal jurisdictional agreement with the State providing Indian child welfare services; and finally, fulfill the policies of the Indian Child Welfare Act which the Colville Tribe, along with other Indian Tribes, fought so aggressively to gain passage of PL 95-608.

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1) Confidentiality and privacy have always been an issue on the rural reservation where extended family relationships are close and work travels fast. Perhaps the increased child sexual abuse reporting over the last year is because community members are beginning to take more responsibility for what goes on around them.

In effect, child abuse is changing from a personal problem to a community issue, thereby bypassing the privacy issue. A good example of this is the formation of a concerned parent group in Omak. Although the increase in community responsibility cannot be attributed solely to the project, it can certainly take some credit for it. The community meetings have contributed to the higher visibility of the child welfare services along with the knowledge that help is available for those in need.

2) Interrelationships on the reservation often make it difficult for reporting abuse as sometimes those s involved in the abuse are related to those who must handle the offense. This will be an ongoing issue in a rural reservation. The child welfare staff has continually handled this issue by referring cases to a caseworker who is not related to the people involved in the case.

3) Cultural relevance is an issue when materials and curriculum aides have been traditionally targeted at the non-Indian, urban population. Although the project has found some potential material developed for the rural, Indian population, it has not yet procurred it. Instead, the project addressed this situation through the use of co-presentors of opposite sex or of different cultures to help translate the materials to the rural Indian population.

4) Increased coordination of the agencies has always been an issue. The project has specifically addressed this problem through sharing presentors for the project presentations and the giving of community workshops. An increase in communication between staff alone has helped the coordination. The staff of the various agencies are now working together more cooperatively and more appropriate referrals are being made. An indication of this is found in the Child Welfare Services' Annual Summary of statistics for 1984-1985. Since April of 1985 inter-agency, interdisciplinary case staffings are now being separately tracked. (See Appendix 1)

1984-1985 Project Results

The child welfare staff currently handles three caseloads which total 66 to 75 active cases of child abuse in any form. While a total of 97 child abuse reports were given for the first year of the project, a current year total of child abuse reports was not available for comparison purposes.

Sexual abuse cases comprise 20 active cases or between 27 to 30 percent of the entire caseload. In comparison, the first year project report stated that only three cases of sexual abuse had been reported to that office in the last six years. Whether this increase in reporting of sexual abuse cases is entirely due to the project's efforts is unknown because of the inability to dismiss other outside factors such as national awareness, TV shows dealing with child abuse, more effective record keeping, etc.

A sixteen year old developmentally disabled young woman that has been in 22 prior placements was raped along with a friend. She had been drinking prior to the interview with the prosecutor and he refused to allow another interview at a later date.

These two cases indicate the need for more awareness and education of professionals within the judicial community. The support of the community will be eroded if cases such as these are not taken seriously by the court system. Thus, a need exists to facilitate the child welfare staff in working more effectively with the court system to achieve their goals.

Another need experienced by the child welfare staff at this time appears to be specialized foster homes for the victims of child abuse. Three licenses have been terminated in the last year; one because of sexual abuse by the neighbor who was baby sitting; one for the use of drugs in the home and one for sexual abuse in the foster home. Under other circumstances, if the court system was more responsive to the child welfare goals, the offender would be moved from the home rather than the victim which may reduce the need for specialized foster homes. However, other variables may come into play such as multiple forms of abuse and neglect thus leaving no one to protect the child from further harm.

A final need remains for a more streamlined record keeping system for the project. Finding a yearly total of child abuse reports proved to be unfeasible because of the time it would take to individually count the case records in the midst of yet another crisis investigation.

Appendix I

COLVILLE CONFEDERATED TRIBES

CHILD WELFARE SERVICES

1984 -1985 ANNUAL SUMMARY

	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sept	TOTAL
Telephone Contacts	863	1225	1328	959	4,375
Office Visits	89	71	101	87	348
Home Visits	161	178	215	143	697
Agency Contacts	263	246	193	110	812
Written Reports	84	147	108	94	433
Court Appearances	43	33	32	28	136
Transports	54	47	54	28	183
Referrals Taken	60	61	37	31	189
Workshops	12	25*	12	9	58
Staffings	-	-	10	14	24

* Includes staffings

B. Community Need Demographics and Support

1. Client Population:

The 1.4 million acre Colville Indian Reservation is one of the largest Indian Reservations in the Portland Area Region, with a total Reservation population of 7,439. The total Indian population of the Reservation is 3,868 compared to a non-Indian population of 3,571. In addition, there are 436 Colville Tribal members living within the six (6) counties adjacent to the Colville Reservation. The total service area population of the Colville Reservation is 4,304.

The underdeveloped economic conditions of the Colville Indian Reservation is no different than most Indian Reservation economies. Members of the Colville Tribe are collectively at the bottom of the poverty scale among all ethnic groups in the Portland Area. The Colville Tribal population is characteristically rural, poor and essentially outside the mainstream of the larger society. These conditions are not new on the Colville Reservation and have many historic, economic, social and cultural roots.

The Confederated Tribes of the Colville Reservation is composed of eleven (11) bands. Each band has its own significant culture, language and traditions ~~attributed~~ contributing to conflicting styles of Indian family stability.

The Colville Indian Reservation has been characterized by a high percentage of low and moderate income families, high unemployment (currently 60%), significant alcoholism, related crime and family abuse and a static Reservation population growth. Timber sales, the Colville Tribes major source of income and employment, has dropped from a high of $28.3 million in 1981 to a low of $4.7 million in 1985.

Tribal government suffered the loss of income when it needed it most; over 120 Tribal employees have suffered the loss of well-earned and deserved jobs; all Tribal employees have suffered the loss of twenty percent (20%) of their pay because of the four (4) day work week the Tribe implemented on January 18, 1985; and all Colville Tribal members will suffer from high unemployment when there are no jobs available and no way to feed their families.

Today, the cultural values and traditional lifestyles of the Colville Confederated Tribes have been all but eliminated. The 4,304 Indians on or adjacent to the Colville Reservation are having difficulties in adjusting to today's lifestyles. We forget our heritage and assimilate into the mainstream of society, or we continue to have difficulties in adjusting and we don't really understand why we are having these problems - only that we create a vent for that misunderstanding through alcoholism, suicides, broken family ties, and the loss of our Indian identity. As long as this trend continues, we will be unable to maintain a living pattern that will enable Tribal members to economically or socially excel in today's society.

2. Existing Services:

Fortunately, the Colville Tribe is in a position to participate in planning the destiny of itself and the Tribal membership. To accomplish this, the Colville Business Council established a Human Resource Development Department to provide for the collective and coordinated delivery of social, health, educational and employment program services. The development and implementation of the Human Resource Development Department provides easy client entry into the Human Resource program system; makes services more accessible; allows expertise to be concentrated on single unique problem; reasonably defines responsibilities and decision making authority; resolves problems and conflicts within Human Resource programs; coordinates meetings; improves programs capability to serve clients; and finally, eliminates the redundancy

and duplicative services of Tribal social, health, educational and employment programs.

In accordance with the responsiblity for undertaking an efficient and effective human service delivery program, the Colville Tribe retains and employs personnel in the following four (4) Human Resource division programs:

Social Services Division	Employment & Training Division	Public Education Division	Public Health Division
Aging	Adult Vocational Training	Early Childhood	Community Health Services
Foster Grandparent	Employment Assistance	Adult Education	Mental Health Program
Child Welfare	TERO	Higher Education	
Social Services	JTPA		
Low Income Home Energy Assistance			
Food Distribution			

In an effort to ensure the protection of Indian children and Indian families during these very difficult Tribal budget reductions, the Colville Business Council is requesting funding to continue to operate a Child Welfare program which reflects and promotes the unique values of Colville Tribal culture and promotes the stability and security of Indian families on the Colville Reservation. The Colville Tribal Child Welfare program will continue to coordinate its activities with the following major support programs; Tribal and local Police Departments; CCT and IHS Mental Health; CCT Alcohol Program; CCT Community Health Representatives and Women, Infants, and Children Program; Paschal Sherman Indian School; CCT Social Services; CCT Tribal Courts; and the Department of Social and Health Services.

These programs provide specialized social and human services to Indian families, and in most cases, do not provide child welfare services. However, these programs report referrals of child neglect to the Child Welfare program and help integrate Indian children back into the family.

Our request for program funding does not duplicate any other Tribal, State or Federal human service programs. As a matter of fact, the State Department of Social and Health Services (DSHS) does not want to assume Tribal responsibilities for Child Protective and Placement Services on the Colville Reservation. To assume the Colville Tribal Child Welfare program responsibilities, the client caseload of the Okanogan office of DSHS would double and require an additional $200,000 in State funding to maintain a caseworker/client ratio of 1 to 25. Such actions are viewed unfavorably by local DSHS staff. Additionally, such actions would require the Tribe and the State to terminate its Memorandum of Agreement which authorized the Tribal Child Welfare program exclusive jurisdiction over Indian Child Welfare services. These actions, of course, would violate the intent of the Indian Child Welfare Act of 1978, Public Law 95-608.

No other Tribal program could assume Child Welfare program services, because none possess the experience, staff capabilities or funding to handle our caseload. In addition, most Tribal programs are restricted by contract, thereby not allowing them to provide additional services.

3. Community Need and Support:

In October 1980, the Department of Interior retroceded all jurisdiction of Child Welfare services to the Colville Tribe. In that same year, the Colville Business Council adopted a Juvenile Code which authorizes Child Welfare and Tribal Police to protect Indian Children from arbitrary removal from their families and Tribal affiliations by establishing procedures to insure that measures are

implemented to prevent the breakup of Indian families following child custody proceedings. Also, in April 1983, the State of Washington and the Colville Confederated Tribes adopted and approved a Memorandum of Agreement which authorized the Tribal Child Welfare program exclusive jurisdiction over Indian Child Welfare Services.

The Colville Tribal Child Welfare program shall provide the following services: adoptions, placement of children in foster care, group home placement, counseling pre and post adoptions, counseling families in conflict, maternity services, licensing of Reservation foster homes, information and referrals, and terminating parental rights. This past year the Tribal Child Welfare program provided services for:

- 399 Indian family and child clients
- Averaged six (6) referrals per week.
- Four (4) of the six (6) referrals became fulltime program clients. Program staff are able to resolve the last two (2) referrals in a few days on an informal basis.
- 24 actual Indian child placements were placed outside the home, resulting in 20 actual Indian family breakups.
- Average caseworker to client ratio is 1 to 102 per year. Each caseworker averages 25 cases at any one time.
- Twenty-five (25) Sexual Abuse and Neglect cases; 92 Physical Abuse and Neglect cases; and 35 runaways.

With the expected and continued decline of Colville Tribal revenues, the Colville Tribal Child Welfare program expects a dramatic increase in child abuse and neglect cases, and Colville Tribal family breakups.

Client accessibility to program services are easily attained through individual and program referrals. Accessibility to program services was designed to be easy to prevent the breakup of Indian families, promote Indian family stability, eliminate cultural barriers and discrimination, and provide a free and relevant service to

Indian families needs who cannot afford to travel to similar program services located off the Colville Indian Reservation.

The support of the Colville Tribes Child Welfare Program has been extremely positive from the State Department of Social and Health Services program; clients; local and Tribal law enforcement agencies; local and Tribal Courts; the Bureau of Indian Affairs; Indian Health Services; and, finally, from the Tribal Business Council and other Tribal programs.

Attached in the appendix of this proposal are support letters from various programs and clients who support the need to continue this much needed program.

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C. Program Service Methodology

1. CCT Child Welfare Program Services:

The Colville Confederated Tribes will operate and maintain a Child Welfare program to prevent the arbitrary removal of Indian children from Indian families and promote Indian family stability and security.

The proposed functions of the Tribal Child Welfare program during the project year are broken down into the following program objectives, action steps and activities. During this project period the Child Welfare program proposes to provide the following services:

1. Continue to provide intensive casework services to an additional 400 families by the end of the 1986 fiscal year, and continue to provide intensive casework services for Indian children and their families, so that resources closely match their needs.
   1.1 Work with at least fifty (50) new families per quarter who need intensive casework services.
      a. Receive referrals from the local communities, schools, law enforcement agencies, other programs, and other Tribes.
      b. Forward referrals and complaints to Child Welfare Program Manager.
   1.2 Program Manager shall review and assign cases/ referrals to caseworkers upon receiving referrals.
      a. Program Manager determines if the referral falls within the jurisdiction of the Tribal Child Welfare program.
      b. Program Manager determines what type of services should be provided, i.e. child neglect, sexual abuse, truancy.
      c. Program Manager assigns referral to caseworker.

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1.3 The Child Welfare caseworker initiates a family assessment upon being assigned the case.

a. The caseworker calls the person or program who made the referral and determines the type and cause of referral.

b. The caseworker will contact the affected child and involved family to discuss the complaint and/or referral.

c. The caseworker will determine if the referral is substantiated or not.

1.4 When the referral is determined to be substantiated, then the caseworker shall prepare a case plan with the clients.

a. The caseworker shall assess and determine what type of intervention is required, i.e. remove child; determine type of services the parents need, such as alcoholism treatment, family financial assistance, parenting skills, mental health services or other social services help. The caseworker shall prepare a case plan with the data collected describing the methods needed to strengthen the family.

b. The caseworker shall assist the client in receiving the needed services.

c. The caseworker shall provide follow-up services ensuring the family is following the recommendations of the Child Welfare program and determine if changes are occurring in the family. If no changes are occurring, then the caseworker shall ask the Tribal Court to establish a Minor in Need of Care.

d. The caseworker shall provide recommendations to Tribal Court during the Review Hearings suggesting what the parents must do to take care of the problems.

c. The caseworker shall provide follow-up services after the review hearing. If the parents are not following the recommendations of Tribal Court, then the caseworker shall begin to terminate parental rights and place the child with an extended family member or place the child in an Indian adoption care home.

1.5 Each caseworker shall complete quarterly progress reports on each case.

a. The caseworker shall outline the problem causing the removal of the child outside the home and the efforts the family and child made to comply with the recommendations of the Child Welfare program.

b. The caseworker shall describe the goals the family must follow to be reunited.

2. Increase the availability of child welfare services by providing four (4) specialized foster care homes with one in each district on the Colville Reservation, and license fifteen (15) regular foster care homes.

2.1 Recruit potential specialized and regular foster parents in each district of the Reservation.

a. The Child Welfare program shall recruit potential foster parents by advertising in the Tribal and local newspapers, community meetings, local radio and T.V. media, and finally, by the mocassin telegraph (word-of-mouth).

b. Send out applications to potential foster care parents to determine preliminary eligibility.

2.2 The Child Welfare program shall begin the licensing process after locating fifteen (15) qualified foster care homes and four (4) specialized foster care homes.

a. The caseworker shall conduct a home study

evaluation and submit a written report verifying a stable and safe home environment, adequate space, no previous convictions of child abuse and/or other felonies, and a good medical record.

b. Determine if qualified parents would like to become a specialized foster care home with special training to work with hard to place children with special problems (mental, physical or behavioral) or a regular foster home, willing to provide only shelter care, food and clothing.

c. The caseworker shall submit a written report with recommendations to the State for license approval or disapproval.

d. Licensing requirements usually takes about three (3) to six (6) months. It is expected all nineteen (19) foster care homes should be licensed by the end of the project year.

2.3 The Child Welfare program shall provide training on a quarterly basis for regular and specialized foster care parents.

a. The Child Welfare program shall train regular foster care parents by describing what is a foster care home; their responsibilities; foster care payments; how to work with children and how to provide emotional support; coordinate meetings with foster care parents to exchange ideas; and finally, recognize and appreciate the services of the foster care parents.

b. The Child Welfare program shall train specialized foster care parents by describing what is a specialized foster care home; their responsibilities; how to meet the needs of the physically disabled, severe emotional, and sexually abused child (types of therapy, medicine and medical treatment, and emotional

support), how to effectively deal with children with behavioral problems, establish a support group to exchange ideas; and discuss new policy changes.

3. Reduce the occurrence of child abuse and neglect by stressing the prevention and awareness of child abuse.

3.1 The Child Welfare program shall conduct seven (7) school presentations to children, teachers and school boards on and near the Reservation on the "Prevention of Child Abuse."

a. The Child Welfare program shall present two (2) different types of workshops - one directed at students (children) and the other at adults. Child abuse prevention will be directed at children describing what child abuse is, how to protect themselves, how to say no and who to tell. An Awareness workshop will be conducted for the community, school boards, teachers and other programs describing the present child abuse statistics on the Reservation, child abuse indicators, what sets the stage for child abuse, what to do if you suspect child abuse, and who to contact.

3.2 Classes will be conducted in the four (4) districts on the Reservation for Parent Effectiveness Training at least two (2) times a year.

a. The Child Welfare program shall work with the Early Childhood Program to work with parents to develop parental skills to handle different situations.

3.3 The Child Welfare caseworker shall work as a team member with other Tribal, County, State and Local program staff to conduct child sexual abuse investigations.

a. A child sexual abuse team will be formed composed of the Child Welfare program; the

Tribal and County Mental Health programs, Tribal and Local police departments; and the State Department of Child and Family Services.

b. The team will meet on a regular basis to centralize area efforts to stop sexual abuse, develop similar procedures to prosecute child sexual abuse offenders, and identify the types of information to be gathered.

4. Promote community awareness of and involvement with the needs of Indian children and their families.

4.1 Work closely with the Tribes' foster Grandparent Program and develop a workplan which allows Foster Grandparents to become Grandparents of Child Welfare clients. a. Child Welfare program refers client to Foster Grandparent staff. CWS and FGP staff refers child welfare client to qualified Grandparent in immediate area.

b. Foster Grandparent works with child four (4) days, approximately four (4) hours per day. A maximum of sixteen (16) hours per week based on FGP guidelines.

c. Child Welfare and Foster Grandparent staff evaluate and monitor success of program each quarter and at the end of the Fiscal Year.

4.2 Assist in organizing concerned parent groups in the four (4) Reservation Districts, and participate in meetings to provide information regarding the services of the Tribes Child Welfare Program.

a. Develop work plans with concerned parents in dealing with Child Welfare clients and Juvenile Delinquency.

b. Organize concerned parent work group to meet and discuss issues with children and teens under 18 years of age by showing and having films on alcohol and drug abuse, panel

discussions, and establishing direct contact with interested children and teens. A meeting between concerned parents and children will be held quarterly in each district.

4.3 Provide and Promote Child Welfare Services, including Family Reconciliation Services, Foster Care and permanent planning, Adoption, Maternity Services and Licensing of Foster Homes.

a. Inform Reservation and Tribal member families throughout the year about Child Welfare Program Services via the Tribal Tribune Newspaper.

The major goals of the Tribal Child Welfare program to provide services which promote Indian family stability and implement the Juvenile (Child Welfare) Code, Section 12, of the Colville Tribes Law and Order Code.

D-37/J-D

3. Cultural Relevance

In order to continue to promote and protect the child welfare policies of the Colville Confederated Tribes and PL 95-608, the Tribe established a Tribally operated Child Welfare program. The intent and purpose of the Tribal Business Council was to eliminate the cultural and discrimination barriers many Indian families face when they deal with non-Indian programs. Therefore, it was for this purpose that the Tribe established the Child Welfare program to secure and protect the welfare of Indian children by preserving and strengthening Indian family ties, preserving and strengthening the child's culture, tradition, and ethnic identity; and help the child develop into a responsible, well adjusted adult.

The Confederated Tribes of the Colville Reservation is are composed of the following eleven (11) bands: Wenatchee; Moses/Columbia; Okanogan; Entiat/Chelan; Methow; Palus; Nez Perce; Nespelem; Colville; San Poil; and Lake. However, the most dominant cultural trends of the eleven (11) bands was that parenting was the responsibility of the whole Tribe or band. The children in each band were taught by different individuals within the band regarding traditional child rearing, family practices and tribal (band) heritage.

The central theme of most of the bands was that there was no class distinction among individuals within the band. These bands shared the food that was gathered with all the people of the band, especially those that were old, ill and/or crippled. Every individual was free to make his/her own decisions, but family ties were very strong. The wealthy and stronger members of bands were respected, and residence in their proximity was desirable, but the wealthy and strong always assisted less fortunate members of the band.

Elder members of the band, who are known to have much wisdom, were usually looked up to as a leader. The influence of the elders

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is usually the factor that keeps peace and order within the bands of the Colville Reservation. Younger members of the bands never disobey the commands of their elders. Elders were always respected.

To some extent, the children were treated as adults. The desires of children only a few years old would be considered and consulted in such matters as the making of protracted visits. In return, they were expected to act according to group standards, to be polite and instantly obedient. Bad behavior was punished by whipping, either by the parent or by some old man delegated to the task. Bad behavior or whipping was said to be very rare.

Adoption within the Tribe was relatively common. Parents, especially those who were poor, were known to give their children to well-to-do relatives to care for. The adopted child would call his foster parents "father" and "mother." In later life, the child would care for its foster parents and the child's own parents.

With this in mind, the Colville Tribes Child Welfare program is designed to protect Indian children by providing Indian foster care homes, utilization of extended family members and Tribal elders, keeping Indian children within the exterior boundaries of the Colville Indian Reservation, and utilizing services that are not only Indian oriented, but free and accessible to Indian families. In addition, the Tribe employs five (5) Tribal members with six (6) years of Colville Tribal working experience, in the Child Welfare program. The Child Welfare program is Indian oriented and protects the best interests of the Colville Confederated Tribes, and the policies of the Indian Child Welfare Act and the State/Tribal Memorandum of Agreement for Child Welfare Services.

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D. Administrative Capabilities and Operational Structures

1. CCT

The Colville Indian Reservation was established by Presidential Executive Order in 1872 and is governed by the Colville Business Council. Colville Tribal members voted in a general election in 1938 to organize themselves into a self governing group. The Constitution and By-Laws of the Confederated Tribes of the Colville Reservation was ratified by Tribal members on February 26, 1938 and was approved by the Commissioner of Indian Affairs on April 19, 1938.

The Colville Reservation is divided into four (4) voting districts and a total of fourteen (14) representatives are elected by a majority vote to the Colville Business Council. Council representatives are elected for a two (2) year term with one half of them being elected each year by ballot. The Council elects its Chairman, Vice Chairman and Secretary at its annual reorganization meeting in July.

From within the Tribal Business Council there are twelve committees: Health, Education and Welfare (HEW); Land and Forestry; Finance; Planning; Enrollment; Negotiations; Employment; Ways and Means; Elections; Law and Order; Legislative; and Fish and Wildlife. Each committee is responsible for defined duties relative to the committee name, and reports on a weekly schedule to the full Tribal Business Council. All committee action and activity must be approved or disapproved by a vote of the Colville Business Council.

The goal of the Colville Business Council is to provide for the most effective and efficient delivery and development of resources available to the Tribal membership, with minimum negative impact on the culture, traditions and unique style of living on the Colville

Reservation. Subsequently, the Tribal Business Council established four (4) departments: Administration; Physical Resources; Human Resources; and Comprehensive Planning.

To date, the Tribe employs 460 employees who perform various government functions and services. Last year, the Tribe employed 588 employees, one can see that the economic conditions of the Tribe have reduced Tribal employment opportunities.

2. Child Welfare

With the recent resignation of the Human Resource Department Director,the proposed Child Welfare program will report directly to the Executive Director for day-to-day administrative direction and to the Council's Health, Education and Welfare (HEW) Committee for policy decisions. The Child Welfare program shall coordinate its activities with other Council Committees and other Tribal, Federal, State, and other local agencies in their respective areas of concern.

All social service, health, employment, and educational programs are under the direct administrative direction of the Human Resource Department Director. The Human Resource Department Director is currently vacant, but the position will be filled with an individual with extensive knowledge and experience in human services.

The Colville Confederated Tribes Child Welfare program is a social service program supervised by a program manager who is responsible for program management, including planning, directing and coordinating the work of the Child Welfare program. The program manager shall also be responsible for the interpretation and application of defined policy and procedural guidelines of State, Federal and Tribal laws, with special emphasis on accomplishing program goals and objectives of Public Law 95-608, the Indian Child Welfare Act. The program manager shall also

exercise supervision over four (4) professional social service caseworkers, one office assistant and volunteer staff engaged in carrying out the various duties and requirements of the Child Welfare program.

In addition, four (4) social services caseworkers are required to handle the current and anticipated client caseloads. Two (2) caseworkers have their B.A. degrees in Education, with four (4) and twelve (12) years experience in child counseling. The third caseworker has a B.A. degree in Social Work and two (2) years experience in counseling and sexual abuse. The fourth (4) social service caseworker position is currently vacant and is currently being advertised to be filled.

The caseworkers are employed to protect Indian children from arbitrary removal from their families and Tribal affiliations by performing a variety of professional casework activities. Duties include family (child-parent) counseling, foster care placement, termination of parental rights, licensing foster homes, home studies, preadoptive placement, and adoptive placement. Casework is conducted in liaison with local hospitals; other Tribal, State and local social service agencies; foster care homes; Tribal and local law enforcement programs; and local schools.

An office assistant II or secretary shall be employed to provide secretarial and other clerical office duties. This position is required by the State of Washington under their minimum license requirements.

The Tribal Child Welfare program has total jurisdiction on the Colville Indian Reservation for providing Child Welfare services. The Child Welfare program will not duplicate any similar existing program services. Prior to the adoption of the Indian Child Welfare Act and the State/Tribal Memorandum of Agreement, very little child welfare services were provided on the Reservation. In the past, Indian families had to go to local DSHS offices in Okanogan, Colville or Spokane to obtain services. Needless to

say, Tribal members and other Indians on the Reservation did not use these limited services because of geographical and distance restraints. The State or local counties could not provide outreach offices for these same reasons; and because they lacked funding. Consequently, with the adoption of the Indian Child Welfare Act, the State and local agencies agreed to retrocede all jurisdiction over child welfare proceedings to the Colville Tribe and its Child Welfare program.

The Tribes Child Welfare program is centrally located at the Colville Indian Agency, Nespelem, Washington, at the Career Development Center office building. Office space consists of four (4) rooms. The office is easily accessible to all current and potential clients. In addition, clients and the Child Welfare program have access to other Human Resource programs.

D-37/J-B/15-18

E. Fiscal Capabilities

1. CCT

The Colville Confederated Tribes (CCT) recognizes the need to continue to operate an Indian Child and Family service program designed to promote the stability of Colville Tribal families. The inception of Public Law 95-608, the Indian Child Welfare Act, allowed Indian Tribes to obtain funding to provide services to prevent the breakup of Indian families.

The decline of Tribal revenues in the past four (4) years has been dramatic. In fiscal year 1981 the Tribes annual budget was $28.3 million. The Tribes projected 1985 fiscal year budget, based on BIA financial projections, will be $4.7 million. As a result, Tribal employees and program services in Child Welfare (and all Tribal programs) have been reduced, thereby increasing the Reservation's unemployment rate and increasing the demand for health and social program services. The significance of the problem is highlighted by the fact that effects of abuse and neglect go far beyond the incidents themselves, this includes: learning disabilities, motor handicaps, identity problems, mental retardation, incest, physical abuse, and abandonment. An article that was recently published in a Portland, Oregon newspaper is included in the appendix because it depicts the current economic conditions of the Colville Reservation.

The intent of this Tribal proposal is to continue to operate and maintain an existing Tribal program for the counseling of Indian families and for the temporary custody of Indian children. The benefits of operating a Colville Tribal Child Welfare program include a developed and tested system to monitor cases, ongoing follow-up, training, responsibility learned by the client's family, parenting skills, and the continued implementation of Public Law 95-608, the Indian Child Welfare Act.

The Colville Confederated Tribes will employ one administrative program manager, four (4) caseworkers, and one Child Welfare program. All employees of the Child Welfare program operate under a federally approved Personnel Classification and Pay Plan which is consistent with federal policies and the Intergovernmental Personnel Act of 1970 in conjunction with Public Law 88-353. The Personnel Classification and Pay Plan was prepared by the Office of Personnel Management.

Position descriptions and employee resumes are included in the appendix.

The Colville Confederated Tribes have the fiscal management and accounting resources to monitor and support the Child Welfare program. A fulltime accounting program, which handles 48 Federal and State contracts and 57 Tribal program accounts, can effectively and efficiently handle the financial reporting requirements necessary to the operation of the Child Welfare program. The appendix contains a written assurance from an independent auditing firm that the Tribe maintains sound fiscal management, accounting and recordkeeping systems.

The program manager and staff of the Child Welfare program shall be required to meet the narrative reporting requirements as indicated in the Operational Monitoring System Objectives.

1) Confidentiality and privacy have always been an issue on the rural reservation where extended family relationships are close and work travels fast. Perhaps the increased child sexual abuse reporting over the last year is because community members are beginning to take more responsibility for what goes on around them.

In effect, child abuse is changing from a personal problem to a community issue, thereby bypassing the privacy issue. A good example of this is the formation of a concerned parent group in Omak. Although the increase in community responsibility cannot be attributed solely to the project, it can certainly take some credit for it. The community meetings have contributed to the higher visibility of the child welfare services along with the knowledge that help is available for those in need.

2) Interrelationships on the reservation often make it difficult for reporting abuse as sometimes those involved in the abuse are related to those who must handle the offense. This will be an ongoing issue in a rural reservation. The child welfare staff has continually handled this issue by referring cases to a caseworker who is not related to the people involved in the case.

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Sexual abuse cases comprise 20 active cases or between 27 to 30 percent of the entire caseload. In comparison, the first year project report stated that only three cases of sexual abuse had been reported to that office in the last six years. Whether this increase in reporting of sexual abuse cases is entirely due to the project's efforts in unknown because of the inability to dismiss other outside factors such as national awareness, TV shows dealing with child abuse, more effective record keeping, etc.

A sixteen year old developmentally disabled young woman that has been in 22 prior placements was raped along with a friend. She had been drinking prior to the interview with the prosecutor and he refused to allow another interview at a later date.

These two cases indicate the need for more awareness and education of professionals within the judicial community. The support of the community will be eroded if cases such as these are not taken seriously by the court system. Thus, a need exists to facilitate the child welfare staff in working more effectively with the court system to achieve their goals.

Another need experienced by the child welfare staff at this time appears to be specialized foster homes for the victims of child abuse. Three licenses have been terminated in the last year; one because of sexual abuse by the neighbor who was baby sitting; one for the use of drugs in the home and one for sexual abuse in the foster home. Under other circumstances, if the court system was more responsive to the child welfare goals, the offender would be moved from the home rather than the victim which may reduce the need for specialized foster homes. However, other variables may come into play such as multiple forms of abuse and neglect thus leaving no one to protect the child from further harm.

A final need remains for a more streamlined record keeping system for the project. Finding a yearly total of child abuse reports proved to be unfeasible because of the time it would take to individually count the case records in the midst of yet another crisis investigation.

Appendix 1

COLVILLE CONFEDERATED TRIBES

CHILD WELFARE SERVICES

1984 - 1985 ANNUAL SUMMARY

	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sept	
Telephone Contacts	863	1225	1328	959	4,375
Office Visits	89	71	101	87	348
Home Visits	161	178	215	143	697
Agency Contacts	263	246	193	110	812
Written Reports	84	147	108	94	433
Court Appearances	43	33	32	28	136
Transports	54	47	54	28	183
Referrals Taken	60	61	37	31	189
Workshops	12	25*	12	9	58
Staffings	-	-	10	14	24

* Includes staffings

Colville Confederated Tribes

P.O. Box 150 · Nespelem, Washington 99155 (509) 634-4711

MEMORANDUM

TO: Gary E. George, Director
Comprehensive Planning Department

FROM: Ted J. Bessette, Small Business
Comprehensive Planning Department DATE: 11/16/84

SUBJECT: Colville Indian Reservation Employment/Unemployment Statistics

The Comprehensive Planning Department recently updated a survey of Colville Indian Reservation employment/unemployment characteristics. Basically, the survey was conducted by contacting employers in both public and private sectors within the Reservation boundaries and requesting specific information concerning classification of sex (male,female) and ethnic group (Colville Indian, Other Indian, Non-Indian), and district. In addition, each place of employment was then categorized into one of ten major industry groups. The following table illustrates the findings of this survey:

	Nov. '84	
Reservation Resident Population:	7439	
Indian		3868
Non-Indian		3571
Not In Labor Force, includes: Housewives, Retired Persons, Military Service, 18 years of age and under, Institutionalized, and Mentally/Physically Disabled.	3050	
Indian		1769
Non-Indian		1281
Reservation Labor Force:	4389	
Indian		2099
Non-Indian		2290
Current Reservation Employment:	2407	
Indian		849
Non-Indian		1558
Current Reservation Unemployment:	1982 (45%)	
Indian		1250 (60%)
Non-Indian		732 (32%)

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Definitions. The following major industry groups are described in relation to economic activities on the Colville Indian Reservation.

Agriculture. Forming and ranching, such as raising cattle and growing fruit and wheat crops.

Forestry. Timber processing and manufacturing, such as cutting, hauling, measuring, and finishing lumber into wood products.

Construction. Building and repairing, such as road building/repairing, housing, drilling, and other vocational skills performed on a contractual basis.

Manufacturing. Finishing products from raw materials, such as wood-products and apple-processing and packing.

Transportation, Utilities. Freighting and public services, such as air, land, and water transporting and telephone and electric utilities.

Wholesale. Providing merchandise to vendors for resale to consumers, such as apple marketing, beverage wholesalers, and petroleum product dealers.

Retail. Providing goods to consumers, such as eating and drinking places, grocery stores, service stations, and other consumer goods.

Finance, Insurance, Real Estate. Furnishing financial, insuring, or selling services, such as banks, insurance agents and brokers and real estate dealers.

Services. Offering personal skills and abilities to consumers, such as automobile mechanics, beauticians, bookkeepers, lodging houses, and amusement and recreation centers.

Public Administration. Providing governmental services to the public, such as city or county, State of Washington, Federal, and Colville Tribal governmental functions.

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The Reservation labor force includes 2099 Indian and 2290 Non-Indian individuals to total 4389 persons available for work. Employment figures of 2407 include 849 Indian (with 64 other-Indian) and 1558 Non-Indian employees. Unemployment totals at 1982, with 1250 Indian and 732 Non-Indian individuals out-of-work. Presently, 60% of the Indian labor force remains unemployed and 32% of the Non-Indian work force stands idle. Currently, Ferry County lists 14% unemployment and Okanogan County depicts 17% unemployment compared to 8% state-wide rates; according to Employment Security Department figures.

See Attached Charts

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District: Reservation-Wide

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	116	02	58	-	60	118
2. Agric.	77	-	25	-	52	77
3. Constr.	173	10	66	-	117	183
4. Manufacturing	587	146	58	06	669	733
5. Trans., Util.	42	06	11	03	34	48
6. Wholesale	33	10	-	-	43	43
7. Retail	69	67	31	-	105	136
8. Fin.,Ins., RE	-	06	-	-	06	06
9. Services	60	58	07	02	109	118
10. Public Admin.						
Local	28	04	03	02	27	32
State	57	99	13	03	140	156
Federal	232	73	124	15	166	305
Tribal	208	244	358	64	30	452
TOTAL	1682	725	754	95	1558	2407

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District: Inchelium

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	36	-	18	-	18	36
2. Agric.	10	-	05	-	05	10
3. Constr.	15	-	13	-	02	15
4. Manufacturing	-	-	-	-	-	-
5. Trans., Util.	08	01	05	-	04	09
6. Wholesale	-	-	-	-	-	-
7. Retail	05	11	10	-	06	16
8. Fin.,Ins., RE	-	-	-	-	-	-
9. Services	04	-	-	-	04	04
10. Public Admin.						
Local	06	-	02	-	04	06
State	18	21	08	01	30	39
Federal	20	04	11	04	09	24
Tribal	35	34	55	05	09	69
TOTAL	157	71	127	10	91	228

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District: Keller

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	31	-	15	-	16	31
2. Agric.	15	-	05	-	10	15
3. Constr.	-	-	-	-	-	-
4. Manufacturing	-	-	-	-	-	-
5. Trans., Util.	06	-	04	01	01	06
6. Wholesale	-	-	-	-	-	-
7. Retail	04	05	05	-	04	09
8. Fin.,Ins., RE	-	-	-	-	-	-
9. Services	01	-	01	-	-	01
10. Public Admin.						
Local	02	-	-	-	02	02
State	02	10	-	-	12	12
Federal	10	01	08	01	01	11
Tribal	14	21	31	03	01	35
TOTAL	85	37	69	05	48	122

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District: Nespelem

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	22	02	12	-	12	24
2. Agric.	15	-	05	-	10	15
3. Constr.	96	-	27	-	69	96
4. Manufacturing	-	-	-	-	-	-
5. Trans., Util.	05	03	01	01	06	08
6. Wholesale	-	-	-	-	-	-
7. Retail	22	34	11	-	45	56
8. Fin.,Ins., RE	-	06	-	-	06	06
9. Services	24	23	06	02	39	47
10. Public Admin.						
Local	-	02	-	-	02	02
State	26	41	04	02	61	67
Federal	195	67	101	09	152	262
Tribal	92	119	180	23	08	211
TOTAL	497	297	348	37	409	794

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District: Omak

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	27	-	13	-	14	27
2. Agric.	37	-	10	-	27	37
3. Constr.	62	10	26	-	46	72
4. Manufacturing	587	146	58	06	669	733
5. Trans., Util.	23	02	01	01	23	25
6. Wholesale	33	10	-	-	43	43
7. Retail	38	17	05	-	50	55
8. Fin.,Ins., RE	-	-	-	-	-	-
9. Services	31	35	-	-	66	66
10. Public Admin.						
Local	20	02	01	02	19	22
State	11	27	01	-	37	38
Federal	07	01	03	01	04	08
Tribal	67	70	92	33	12	137
TOTAL	943	320	210	43	1010	1263

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COLVILLE CONFEDERATED TRIBES
1984 Population Distribution
on vs off-Reservation

5 Year Age Cohort	On Reservation Male	On Reservation Female	Off Reservation Male	Off Reservation Female	Total Enrolled Male	Total Enrolled Female	Total
65-over	101	142	76	129	177	271	448
60-64	63	38	55	72	118	110	228
55-59	50	66	60	77	110	143	253
50-54	67	59	65	84	132	143	275
45-49	92	82	77	93	169	175	344
40-44	75	86	58	80	133	156	289
35-39	116	111	91	122	227	233	460
30-34	173	143	115	153	288	296	584
25-29	202	163	117	154	319	317	636
20-24	181	171	144	144	325	315	640
15-19	157	173	100	143	257	316	573
10-14	202	180	141	153	343	333	676
5-9	196	172	139	130	335	302	637
0-4	188	205	101	102	289	307	596
Subtotals	1,883	1,791	1,339	1,626	3,222	3,417	
On Reservation Total	3,674						
Off Reservation Total			2,965				
Total Enrolled					6,639		

Sources: Colville Tribal Enrollment Records
October 1984

TOTAL 6,639

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LVILLE CONFEDERATED TRIBES
1984 COLVILLE ON-RESERVATION
District Population Distribution

Age Cohort Male/Female	Inchelium Male	Inchelium Female	Keller Male	Keller Female	Nespelem Male	Nespelem Female	Omak Male	Omak Female	Total Male	Total Female
65-over	29	29	10	12	34	49	30	54	103	144
60-64	20	7	5	9	26	8	12	12	63	36
55-59	10	13	2	2	21	28	17	28	50	71
50-54	18	12	5	7	25	22	19	16	67	57
45-49	15	19	4	5	42	26	31	31	92	81
40-44	10	13	5	1	37	34	24	40	76	88
35-39	18	11	8	10	69	52	41	36	136	109
30-34	28	20	11	8	94	56	50	59	173	143
25-29	32	27	9	6	90	68	71	59	202	160
20-24	34	33	6	8	68	64	76	68	184	173
15-19	21	30	12	6	63	75	64	60	160	171
10-14	29	32	18	13	80	79	71	54	198	178
5-9	36	32	16	14	89	76	55	52	196	174
0-4	30	31	7	12	70	95	79	65	186	203
SUBTOTAL	330	309	118	113	798	732	640	634	1,886	1,788
GRANDTOTAL	639		231		1,530		1,274		3,674	

Source: Colville Tribal Enrollment Records, October 1984

COLVILLE CONFEDERATED TRIBES
1984 ON RESERVATION
POPULATION DISTRIBUTION
HEADS OF HOUSEHOLD ONLY
(18 and over)

	INCHELIUM		KELLER		NESPELEM		OMAK		TOTAL	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
65-over	29	29	10	12	34	49	30	54	103	144
60-64	20	7	5	9	26	8	12	12	63	36
55-59	10	13	2	2	21	28	17	28	50	71
50-54	18	12	5	7	25	22	19	16	67	57
45-49	15	19	4	5	42	26	31	31	92	81
40-44	10	13	5	1	37	34	24	40	76	88
35-39	18	11	8	10	69	52	41	36	136	109
30-34	28	20	11	8	84	56	50	59	173	143
25-29	32	27	9	6	90	68	71	59	202	160
20-24	34	33	6	8	68	64	76	68	184	173
15-19	21	30	12	6	63	75	64	60	160	171
10-14	--	--	--	-	--	--	--	--	---	---
5-9	--	--	--	-	--	--	--	--	---	---
0-4	--	--	--	-	--	--	--	--	---	---
SUBTOTAL	235	214	77	74	559	482	435	463	1,306	1,233
GRAND TOTAL	449		151		1,041		898		2,539	

Source: Colville Tribal Enrollment Records, October 1984

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Colville Confederated Tribes

P.O. Box 150 - Nespelem, Washington 99155 (509) 634-4711

April 4, 1983

AGREEMENT RE IMPLEMENTATION OF
INDIAN CHILD WELFARE ACT

THIS AGREEMENT is entered into by and between the Confederated Tribes of the Colville Indian Reservation, Nespelem, Washington (hereinafter called "Tribe") and the Okanogan and Colville Community Services Offices of the Department of Social and Health Services of the State of Washington (hereinafter called "CSO") and Region 1 DSHS Office.

RECITALS

A. The Indian Child Welfare Act of 1978 authorizes states and Indian tribes to enter into agreements regarding care and custody of Indian children, jurisdiction of child custody proceedings and transfer of jurisdiction. Pursuant to that Act the Colville Confederated Tribes petitioned the Secretary of the Interior for retrocession of child welfare jurisdiction. Such jurisdiction was retroceded to the Colville Confederated Tribes on October 24, 1980.

B. The Indian Child Welfare Act of 1978 (§1919 (a)) authorizes states and Indian tribes to enter into agreements regarding care and custody of Indian children, jurisdiction of child custody proceedings and ordering transfer of jurisdiction on a case-by-case basis. The undersigned enter into this agreement to further the declared national policy of protecting the best interests of Indian children and promoting the stability and security of Indian tribes and families. It is not intended to be a legally binding contract but is intended to be a good faith agreement of the parties.

C. This agreement is to be liberally construed in the full spirit of cooperation with the overriding goal of carrying out the stated policy of the Act.

The parties agree as follows:

1. Jurisdiction and Definitions:

1.1 The Colville Confederated Tribes has exclusive jurisdiction over

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child custody proceedings as defined by the Act, 25 U.S.C. §1903 involving an Indian child who resides or is domiciled within the reservation of the Colville Confederated Tribes.

1.2 For purposes of this agreement, all terms shall be defined as they are defined in the Indian Child Welfare Act of 1978 unless otherwise indicated.

1.3 "Indian Child:" Any unmarried person who is under 18 and is either (a) a member of a federally recognized Indian tribe as defined by the Act or (b) is eligible for membership in an Indian tribe and/or is the biological child of a member of an Indian tribe.

1.4 "Colville Indian Child:" Shall mean any unmarried person who is under age 18 and is either (a) a member of the Colville Confederated Tribes or (b) is eligible for membership in the Colville Confederated Tribes and is the biological child of a member of the Colville Confederated Tribes, or (c) is the child (natural or adopted) of a member of the Colville Tribe.

1.5 "Extended Family Member:" A person who has reached the age of 18 and who is the Indian child's grandparent or great-grandparent, aunt or uncle, great aunt or great uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, step-parent, or as recognized by the Tribe.

1.6 "Colville Tribal Child Welfare Services": (hereinafter called "CTCWS") shall mean a licensed social services agency established by the Colville Confederated Tribes to carry out the purposes of the Indian Child Welfare Act of 1978 and to carry out the purposes of this agreement.

2. Contact Persons:

2.1 The Director, or designee, of the CTCWS shall be the contact person for the Tribe under this agreement. The Tribe will designate a contact person to be available on a twenty-four hour basis.

2.2 The Supervisor of Children's Services shall be the contact person for the CSO during normal business hours. The on-call caseworker shall be the CSO contact person outside normal business hours.

2.3 The parties to this agreement will from time to time, at least bi-annually, notify each other in writing of the names of contact persons and other principal staff members. The parties specifically

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agree to notify each other in writing of changes in contact persons and of changes in staff members authorized to perform child-placement functions.

3. Children's Protective Services:
Upon receipt of a Child Protective Services' complaint in the DSHS Colville/Okanogan CSO regarding an Indian child residing on the Colville Indian reservation, the complaint will be referred by telephone within twenty-four hours during regular working hours of 7:30 a.m. - 4:00 p.m. excluding Saturday, Sunday and holidays to the Colville tribal child welfare worker. This CSO will follow up with a complaint in written form to the CTCWS worker. No referral by DSHS is necessary when DSHS knows the child does not fall within the definition of Indian child.

If the CTCSW worker is unavailable, the complaint is to be referred within the aforementioned time frame to the designated person as the Tribe wishes. If neither the CTCSW worker nor the designated person is available and the CSO has reasonable cause to believe that the child's health, safety and welfare may be seriously endangered, DSHS will report the same to the Colville tribal police within twenty-four hours of receipt of the complaint.

If both the CTCWS worker and the designated person are unavailable and the CSO does not have reasonable cause to believe that the child's health, safety and welfare may be seriously endangered, the complaint will be referred to the CTCWS worker on the next working day.

If the child who is the subject of the complaint does not fall within the definition of Indian child under Section 1 of the Agreement, the complaint within twenty-four hours will be referred back to the CSO for child protective service investigation.

The CTCWS worker is responsible for conducting the investigation within the designated time frames, on the reservation and will provide the CSO with a report of the investigation, to include whether or not the complaint was substantiated, within thirty days of receipt of the complaint. If a follow-up report is necessary, it will be submitted within thirty days of the request for follow-up. If the investigation is not completed within

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the thirty days, notice will be provided to the CSO that investigation continues and the report will be submitted within thirty days of the notice.

If the Colville Tribal Court declines or is without jurisdiction over a child who is the subject of a dependency petition, the CTCSW worker will refer the case to the appropriate CSO.

The CTCWS worker receiving a report of an incident of abuse or neglect involving a child who has died or has had physical injury or injuries inflicted upon him/her other than by accidental means or who has been subjected to sexual abuse shall report such incident to the Colville Tribal Court for appropriate action. The CSO will continue to comply with its statutory reporting responsibilities (RCW 26.44).

4. Financial and Social Services:
   4.1 The CTCWS will provide necessary and appropriate social and financial services within the Tribe's jurisdiction, provided that the Director of the CTCWS may request the CSO to provide specific social and financial services in a particular case, providing to it such services are consistent with DSHS eligibility rules.
   4.2 DSHS will provide social and financial services to residents of the Colville Reservation to the same extent that such services are provided to other residents of the State of Washington under its jurisdiction.

5. Placement:
   5.1 Each child accepted for receiving care/foster care or pre-adoptive placement by either agency shall be placed in the least restrictive setting which most approximates his/her family and in which his/her special needs, if any, may be met and which is within reasonable distance of his/her home.
   5.2 Preference for placement shall be given, in the absence of good cause to the contrary, to a placement with:
      a. a member of the child's extended family;
      b. a foster home licensed by the Department approved or specified by the Tribe;

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[redacted]

d. an institution for children approved by the Tribe or operated by an Indian organization which has a program suitable to meet the child's needs.

"Good cause" shall include, by way of example and not limitation, the lack of availability of such placement.

5.3 The preferences set out above shall be followed unless changed by resolution of the Colville Business Council. Any such resolution affecting such change shall be sent to the other parties to this agreement.

5.4 The standards to be applied in meeting the preference requirements of this section shall be the prevailing social and cultural standards of the Colville Indian Community. To the best extent possible, the CSO and the CTCWS shall be informed of such standards by the Tribe.

5.5 Placement by the Tribe in a DSHS licensed group facility or institution will be through established DSHS procedures in accordance with applicable law and regulations and DSHS policy.

5.6 The Tribe will request a placement in a DSHS foster home only in the event that no appropriate tribal foster home is available. Referrals will be made by the CTCWS in accordance with CSO and DSHS rules and regulations and DSHS policy.

6. Tribal Intervention:

The Department of Social and Health Services recognizes the right of the Tribe, under the Indian Child Welfare Act of 1978, to intervene in state court child custody proceedings involving Indian children.

7. Foster Care Payments:

The Department of Social and Health Services may pay for foster care ordered by the Tribal Court whenever consistent with applicable law and departmental regulations, and DSHS policy. In such cases the CTCWS will furnish the Department of Social and Health Services with copies of court orders and all other relevant legal documents, including all information necessary to process payment vouchers.

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8. **Full Faith and Credit:**

Full faith and credit shall be given to the public acts, records and judicial proceedings of the Tribe concerning child custody matters to the same extent that full faith and credit is given to the public act, records and judicial proceedings of other states, to the extent this is consistent with applicable state and federal law.

9. Indian Child Welfare Advisory Committee:

The existing Indian Child Welfare Advisory Committee (ICWAC), which is described in the Washington Administrative Code, Section WAC 388-70, will continue to be utilized as previously established by cooperative effort of the Tribe and of the Department of Social and Health Services.

10. Liaison Committee:

The Administrators of the DSHS Okanogan and Colville CSO's and the Director of CTCWS, shall comprise a liaison committee that may meet from time to time to coordinate activities related to the implementation of this agreement.

11. Suspension and Amendment of Agreement:

The agreement may be suspended by any party upon 90 days written notice to all parties signing the agreement. Such suspension shall not affect any action or proceeding over which a court has already assumed jurisdiction.

This agreement may be amended at any time by unanimous written agreement of the parties hereto.

12. Violations or Interpretation of the Agreement:

The parties to the agreement realize that there may be instances in which one of the parties believes another party has violated the agreement or clarificiaton is necessary to interpret provisions of the agreement. In such an instance, it is agreed that the parties will attempt to resolve the matter at the lowest level possible within the following designated levels: (1) DSHS (Colville/Okanogan

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casework supervisor - Colville tribal child welfare worker; (2) DSHS Colville/Okanogan Administrator - Colville CTCHS Director; (3) DSHS Region 1 Director or his designee - Colville tribal council representative. Throughout this process, the parties are free to consult with their designated legal counsel.

13. Review of Agreement:

Attached to this agreement is a specified list of names of individuals currently filling the positions designated throughout this agreement. The list will be updated as soon as possible following any change in the named individuals. The updated list will be provided by the agency making the change and copies of the changes will be provided to all those on the original list and to all those persons who have signed this agreement in their representative capacity.

This agreement is to be reviewed at the request of any of the parties to the agreement as needed by the parties.

Termination of this agreement by DSHS or the Colville Indian Tribe may be done at any time after thirty days written notice of the intent to terminate to the other party. (By this section, the parties intend that this agreement not be entered into under §1919 (b) of the Act).

IN WITNESS WHEREOF, the parties hereto have executed this agreement which shall be effective on the following list of dates written.

CONFEDERATED TRIBES OF THE COLVILLE INDIAN RESERVATION

Chairman, Colville Business Council — Date 4/4/23

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STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Kathleen L. McCarthy — April 5, 1983
Administrator, Okanogan CSO — Date

Janet Thorne — April 5 1983
Administrator, Colville CSO — Date

Bernard Clark — April 5, 1983
Regional Administrator — Date

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Colville Confederated Tribes

P.O. Box 150 · Nespelem, Washington 99155 (509) 634-4711

COLVILLE CONFEDERATED TRIBES
SOCIAL SERVICES PROGRAM

TO WHOM IT MAY CONCERN:

The Colville Tribal Social Service Program is a contract 638 program. It was previously a program implemented by the Bureau of Indian Affairs and handled the Individual Indian Monies Accounts' casework.

The Colville Tribe recently contract social services from the Bureau of Indian Affairs. Many of the functions the program provided remains unchanged. The Program still provides direct services to individuals and families on or near the reservation. An important function of the program is to assist clients with managing or seeking financial assistance.

A continuing concern facing many of the families on the reservation is the employment situation. There is a high unemployment rate among the tribal membership who depend on the Tribe and the Bureau of Indian Affairs for employment. Both organizations have been cutting back on their budgetary needs to continue to survive. As a results there are many lay-offs.

The unemployment situation leads to a variety of other problems among the tribal membership. Just trying to meet the basic needs (food & shelter) of the families becomes a major problem. The rising cost of electric heat in the rural areas is becoming costly and it depletes the inadequate funds the famailies recieve.

Traditionally Indian families have tried to help one another. Today it is almost impossible to assist another family. Those individuals who are over the age of eighteen and single have an even more difficult time trying to find housing for the winter months. They must depend on others for their basic needs.

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Another problem facing Indian people today is self-worth and identity. The general society for so long has taught the Indian people it was not good to be an Indian or practice Indian culture. As a result the traditional mores were not passed on to the next generation. Indian people teach their children through oral instruction on the customs to be practiced. Nothing was taught and therefore the children of today have very little idea as to what a Colville Indian is about. Studies conducted both on the Navajo Reservation and on the Canadian Reserves indicate that children who are taught traditional mores have fewer problems and can function adequately in the two worlds of the Indian.

The breakdown of oral communication from the grandparents generation to the parents' generation have caused the value of traditional mores to dwindle. The further lack of communication by the parents to their children have caused a multitude of problems from teenage pregnancies to incest cases to the ft and disrespect for others. Alcohol plays a major role in the caused problems. Indian people do not know how to use alcohol socially. They almost always abuse the substance.

The children of today are very disrespectful of their elders and others in the community. Disciplinary measures are very limited or not deemed necessary by the parents or surrogate parents which leaves the child with no concrete guidelines upon which to build a strong foundation. The general trend of society for individual choice and the ability to make decisions for oneself with responsibility to be accepted is followed by the current generation of young people on the reservation. The parents feel they have no control over their children and therefore give little supervision when needed.

Indian people use to take great pride in helping one another but today everyone is for themselves. The following is an effort by a local community

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CCT - Social Services (cont.)
Page Three

to reinstate that concept to include the non-Indian as well. The Omak School District and community and the Colville Tribe and its community along with Paschal Sherman Indian School are trying to seek a cooperative agreement which will benefit both Indian and non-Indian communities today and in the future. The plan is to develop educational goals that will enchance the educational environment for Indian children and provide non-Indian children with a better understanding of Indian traditional mores and culture. The two schools are working hard to see that this idea becomes reality.

In conclusion Indian people need to strengthen their own self-worth and identity and preserve their traditional mores for future generations and the social problems will take care of themselves.

Lotte Hathaway Director

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POSITION STATEMENT ON CHILDREN AND FAMILIES

BY FAMILY AND MENTAL HEALTH EDUCATION STAFF
Of the Colville Confederated Tribes

The social and psychological problems of the Colville Confederated Tribes have roots in the destruction of traditional/functional tribal economies and social norms. The creation of the reservation, the manner in which the Federal Government fostered economic dependancy with disincentives for the maintainance of traditional independant economies, has resulted in the developement of pathogenic social norms and a conflict between traditional vs contemporary mores and roles. This has created a culture in a state of flux, one striving for identity, independance and self sufficiency.

Pathogenic social norms, those which foster the developement of social and psychological disorders that are generational, resulted from the naive acceptance of conflicting values and mores from the White culture. The acceptance of these new values and mores did not mean the old were discarded, rather it created a conflict which has been misunderstood ,consequently, unresolved for a century.

This conflict caused the breakdown of traditional social cohesion, leadership and roles. The loss of this social structure and the traditional economy led to a turn toward depenency on the Federal Government, but without the traditional structure and support for the developement of independence. This then, has led to a current cultural acceptance of dependant, irresponsible and indifferent behaviors to a point that these have become behaviorial norms.

The mental health consequences of dependant behavioral norms are those disorders developed as a result of an individual looking for external soiutions to internal problems. These disorders would include; substance abuse, some chronic depressions, some personality and adjustment disorders. These disorders have well known and broad social consequences, ie; alcoholism, with it's attendant violent behavior leading to domestic violence, child abuse, auto accidents and a high mortality rate, particularly for young males. Also associated are child neglect, suicide attempts, abuse of other drugs, chronic unemployment and the breakup of the family. Another of many examples, is that of the depressed/dependant victim of domestic violence, who feels unable to escape her fate.

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The mental health consequences of irresponsible/indifferent behavioral norms are those disorders related to a lack of structure, abuse and neglect during early developement. Included would be some disorders of infancy, childhood and adolescence, anxiety disorders, substance abuse, some personality and adjustment disorders. In addition is the social consequences of the sociopath preying on society, the traumatization of children, the perpetuation of generational problems as in child sexual abuse, domestic violence, alcoholism and assultive behavior.

The conflict between traditional and contemporary roles, the pathogenic social norms and the lack of many positive role models has led to intense confusion in the developement of individual identity. The conflicts within and between cultures, including predjudice, discrimination, confusion around cultural/spiritual identity all mitigate against the developement of a strong self and self worth.

The mental health consequences of difficulty in identity formation are disorders which all contain a strong component of self destruction. Not necessarily suicidal, but including suicidal behaviors. The social consequences of this inadequate or maladaptive identity formation, is the perpetuation of the status quo and the compounding of all the other problems with self destructiveness.Some examples would be substance abuse, chronic unemployment, fragmentation of families and suicide.

In summary we would urge that any intervention on behalf of children and families would research thoroughly the issues presented here and be directed towards cultural identity, leadership and the implementation of new social norms, in lieu of trying to treat the symptoms. Lastly, as each reservation is unique in it's problems and solutions, there must be more individualized intervention to achive greatest impact.

Respectfully submitted by:
F.A.M.H.E. Counseling Staff
Colville Confederated Tribes
P.O. Box 150
Nespelem, Wa. 99155

Mel Toulou-Prog. Mgr.
Charles Peirson-Clinical Psychologist
Jo Marcelley-MSW
Victor Desautel-Counselor
Jim Smith-Counselor

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Colville Confederated Tribes
P. O. Box 150 - Nespelem, Wash. 99155 (509) 634-4591

Health Trends of the
Colville Confederated Tribes

(A) Pregnancy - 25 % of women who are pregnant are teenagers with relatively high incidence of 13-15 years old. Of those pregnant teenagers, half are pregnant for the second or more time.

Reasons- (potential & actual for high incidence for teenage pregnancy.

(1) fullfill unmet need for attention
(2) Social acceptability once pregnancy occurs- familial point for rallying
(3) Teens do not view pregnancy as a problem
(4) Lack of awareness of birth control
(5) Sex education classes cease after the primary grade level.

(B) Adverse outcomes of Pregnancy higher than non-Indian county and state average for:

(1) Spontaneous abortion
(2) Fetal deaths(still births)
(3) Low birth weight
(4) prematurity
(5) neonatal - infant mortality

Reasons - (1) Seek prenatal care initially in second or third trimester

(2) poor nutrition as evidenced by Low hematocrit (9%), low weight gain(32%), inadequate 24 hour dietary recall(100%), in particular low protein, calcium, vitamins A & C, inadequate knowledge of food needs.

(3) little knowledge of concept of pregnancy and lack of understanding of physical and metabolic change with pregnancy.

(4) substance abuse occurs in 25% of all prenatals.

(5) lack of parenting skills

Strategies -

(1) Comprehensive WIC programs services have reduced many of the adverse outcomes.

(2) Coordination of health system delivery team have addressed needs and begin intervention strageties.

(C) Children

(1) Nutrition - inadequate diet as exampled by:

a.) wt/ht over 90 percentile in 28%
b.) anemic population 30%
c.) wt/ht under 10 percentile 7%

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d.) weight or height forage under 5 percentile 13%

(2) Parents have lack of knowledge of dietary needs (portion sizes for children, vitamin/mineral requirements).
(3) Inadequate health education especially at the primary prevention level.
(4) High incedence of Otitis Media
(5) High incedence of accidents/injuries
(6) Lack of seat belt use in Motor Vehicles.

Strategies

(1) Improvement in proper usage of infant/toddler convertible automobile safety seats.
(2) Health professional addressing primary prevention strategies to the school age children.

(D) Adolescents

(1) Lack of medical follow-up
(2) Increased alcohol/polydrug use/abuse.
(3) Lack of health education
(4) Sexual promiscuity
(5) Increased accidents
(6) Inadequate nutritional levels as demonstrated by low protein and calcium intakes

Adults

(1) Lack of responsibility for personal health. The doctor or medical provider is expected to "own" a client's health. Feelings that provider will resolve health concern with medicine.
(2) Few health seeking behaviors like
a.) stress reduction
b.) exercise
c.) proper nutrition
d.) accident prevention at home & in the community.
(3) Delayed medical attention due to lack of knowledge of illness/injury or desire to visit provider.
(4) High incidence/prevalence of hypertension due to:
a.) obesity
b.) diet
c.) stressors such as high unemployment.
(5) Very high incidence/prevalence of type # Diabetes Mellitus due to:
a.) obesity
b.) diet
c.) familial tendencies
(6) High incidence of cancer - mylema, pulmonary, gastric-intestinal.
(7) Lack of combined, coordinated effort to reduce health problems through implementation of primary prevention strategies.
(8) Alcohol/Polydrug use/abuse incidence/prevalence is high.

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Elderly -

(1) Inadequate understanding of relationships between chronic disease states, medical implications, & health behaviors necessary to prevent complications, maintain health, &/or improve health.
(2) Inability to intergrate traditional vs modern health deliverysystems such as:
a.) Historic insensitivity to traditional diets
b.) Strong following of traditional ways
c.) Few liaisons connecting clientele and providers.
(3) Accessibility to clinics is difficult due to isolation, transportation, & finances.
(4) Outreach services are gaining momentum

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Colville Confederated Tribes

P.O. Box 150 · Nespelem, Washington 99155 (509) 634-4711

MEMORANDUM

TO: Gary E. George, Director
Comprehensive Planning Department

FROM: Ted J. Bessette, Small Business TB
Comprehensive Planning Department DATE: 11/16/84

SUBJECT: Colville Indian Reservation Employment/Unemployment Statistics

The Comprehensive Planning Department recently updated a survey of Colville Indian Reservation employment/unemployment characteristics. Basically, the survey was conducted by contacting employers in both public and private sectors within the Reservation boundaries and requesting specific information concerning classification of sex (male,female) and ethnic group (Colville Indian, Other Indian, Non-Indian), and district. In addition, each place of employment was then categorized into one of ten major industry groups. The following table illustrates the findings of this survey:

	Nov. '84	
Reservation Resident Population:	7439	
Indian		3868
Non-Indian		3571
Not In Labor Force, includes: Housewives, Retired Persons, Military Service, 18 years of age and under, Institutionalized, and Mentally/Physically Disabled.	3050	
Indian		1769
Non-Indian		1281
Reservation Labor Force:	4389	
Indian		2099
Non-Indian		2290
Current Reservation Employment:	2407	
Indian		849
Non-Indian		1558
Current Reservation Unemployment:	1982 (45%)	
Indian		1250 (60%)
Non-Indian		732 (32%)

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annual 84 5% min.

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Definitions. The following major industry groups are described in relation to economic activities on the Colville Indian Reservation.

Agriculture. Farming and ranching, such as raising cattle and growing fruit and wheat crops.

Forestry. Timber processing and manufacturing, such as cutting, hauling, measuring, and finishing lumber into wood products.

Construction. Building and repairing, such as road building/repairing, housing, drilling, and other vocational skills performed on a contractual basis.

Manufacturing. Finishing products from raw materials, such as wood-products and apple-processing and packing.

Transportation, Utilities. Freighting and public services, such as air, land, and water transporting and telephone and electric utilities.

Wholesale. Providing merchandise to vendors for resale to consumers, such as apple marketing, beverage wholesalers, and petroleum product dealers.

Retail. Providing goods to consumers, such as eating and drinking places, grocery stores, service stations, and other consumer goods.

Finance, Insurance, Real Estate. Furnishing financial, insuring, or selling services, such as banks, insurance agents and brokers and real estate dealers.

Services. Offering personal skills and abilities to consumers, such as automobile mechanics, beauticians, bookkeepers, lodging houses, and amusement and recreation centers.

Public Administration. Providing governmental services to the public, such as city or county, State of Washington, Federal, and Colville Tribal governmental functions.

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The Reservation labor force includes 2099 Indian and 2290 Non-Indian individuals to total 4389 persons available for work. Employment figures of 2407 include 849 Indian (with 64 other-Indian) and 1558 Non-Indian employees. Unemployment totals at 1982, with 1250 Indian and 732 Non-Indian individuals out-of-work. Presently, 60% of the Indian labor force remains unemployed and 32% of the Non-Indian work force stands idle. Currently, Ferry County lists 14% unemployment and Okanogan County depicts 17% unemployment compared to 8% state-wide rates; according to Employment Security Department figures.

See Attached Charts

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District: Reservation-Wide

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	116	02	58	-	60	118
2. Agric.	77	-	25	-	52	77
3. Constr.	173	10	66	-	117	183
4. Manufacturing	587	146	58	06	669	733
5. Trans., Util.	42	06	11	03	34	48
6. Wholesale	33	10	-	-	43	43
7. Retail	69	67	31	-	105	136
8. Fin.,Ins., RE	-	06	-	-	06	06
9. Services	60	58	07	02	109	118
10. Public Admin.						
Local	28	04	03	02	27	32
State	57	99	13	03	140	156
Federal	232	73	124	15	166	305
Tribal	208	244	358	64	30	452
TOTAL	1682	725	754	95	1558	2407

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Other Indian:
1 other tribes
2 descendants
3 spouses

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District: Inchelium

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	36	-	18	-	18	36
2. Agric.	10	-	05	-	05	10
3. Constr.	15	-	13	-	02	15
4. Manufacturing	-	-	-	-	-	-
5. Trans., Util.	08	01	05	-	04	09
6. Wholesale	-	-	-	-	-	-
7. Retail	05	11	10	-	06	16
8. Fin.,Ins., RE	-	-	-	-	-	-
9. Services	04	-	-	-	04	04
10. Public Admin.						
Local	06	-	02	-	04	06
State	18	21	08	01	30	39
Federal	20	04	11	04	09	24
Tribal	35	34	55	05	09	69
TOTAL	157	71	127	10	91	228

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District: Keller

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	31	-	15	-	16	31
2. Agric.	15	-	05	-	10	15
3. Constr.	-	-	-	-	-	-
4. Manufacturing	-	-	-	-	-	-
5. Trans., Util.	06	-	04	01	01	06
6. Wholesale	-	-	-	-	-	-
7. Retail	04	05	05	-	04	09
8. Fin.,Ins., RE	-	-	-	-	-	-
9. Services	01	-	01	-	-	01
10. Public Admin.						
Local	02	-	-	-	02	02
State	02	10	-	-	12	12
Federal	10	01	08	01	01	11
Tribal	14	21	31	03	01	35
TOTAL	85	37	69	05	48	122

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District: Nespelem

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	22	02	12	-	12	24
2. Agric.	15	-	05	-	10	15
3. Constr.	96	-	27	-	69	96
4. Manufacturing	-	-	-	-	-	-
5. Trans., Util.	05	03	01	01	06	08
6. Wholesale	-	-	-	-	-	-
7. Retail	22	34	11	-	45	56
8. Fin.,Ins., RE	-	06	-	-	06	06
9. Services	24	23	06	02	39	47
10. Public Admin.						
Local	-	02	-	-	02	02
State	26	41	04	02	61	67
Federal	195	67	101	09	152	262
Tribal	92	119	180	23	08	211
TOTAL	497	297	348	37	409	794

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District: Omak

	Male	Female	Colville Indian	Other Indian	Non Indian	Total
1. Forestry	27	-	13	-	14	27
2. Agric.	37	-	10	-	27	37
3. Constr.	62	10	26	-	46	72
4. Manufacturing	587	146	58	06	669	733
5. Trans., Util.	23	02	01	01	23	25
6. Wholesale	33	10	-	-	43	43
7. Retail	38	17	05	-	50	55
8. Fin.,Ins., RE	-	-	-	-	-	-
9. Services	31	35	-	-	66	66
10. Public Admin.						
Local	20	02	01	02	19	22
State	11	27	01	-	37	38
Federal	07	01	03	01	04	08
Tribal	67	70	92	33	12	137
TOTAL	943	320	210	43	1010	1263

D-36/J-A/5

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Colville Indian Alcoholism Program

P.O. BOX 1711
OMAK, WASHINGTON 98841

AC 509/826-4431

January 2, 1985

TO: Elaine King, Director
Child Welfare Program

FROM: Linda Jane
Alcohol Program

RE: Alcohol Trends and Conditions Impacting the Reservation.

I have come up with the following from reading proposals and report, talking with several staff members and from what I have observed from working on the prevention project and as the education coordinator. I hope this helps.

Youth Substance Abuse is on the uprise on the reservation and many of our clients are poly addicted. The clients that have been evaluated by our program, 80 to 90% are in the middle to late stages of alcoholism and then early stages in another drug such a marijuana. It makes it more difficult to treat, they many be able to quit taking one drug but depend more on the other drug. I attended a workshop on Youth Substance Abuse in Vancouver, Wa. (11/85) and it had stated that it takes approximately 8 years for an adult male to become chronic alcoholic, 7 years for an adult female and up to 18 monthsfor a youth to become chronic. It's hard to believe but after looking at their evaluations it is true. Treating the youth is different, studies of trying to modify an adult treatment plan for youth just doesn't work. Group therapy has been the treatment plan that works best, letting the peers confront one another and it must meet several times a week and treating the family is a must. Our program does not see many youth, we have seen approximately thirty this past year. Many times, they go through juvenille, who have their own alcohol program or tribal court will often make the offender write a report. We have recently this year treated many adults in the early to middle twenties and its been a surprise how many are maintaining sobriety in the program, whether or not they have begun to abuse another drug has yet to be seen. We have found through the prevention project that many youth start on inhalants before they start to drink or take other drugs. Children as young as six to eight sniff gas, glue, paint,etc... white out has been the fad. In the Grand Coulee area, six junior high girls were taken to the hospital for sniffing and they told officials that they were introduced to the white out from severel Omak girls.

Teenage Pregnancy is also another "in" thing to do. A comment made by a girl from Omak was now she will have someone to love her. In all districts, there is a large majority of teenage pregnancies. There is a big need for some type of sex education, parenting. A FAMHE counselor went to the Omak Alternative school, the kids were very responsive and had a lot of questions, but ended because the counselor moved.

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We have begun receiving more family referrals, either to help their spouse, their children or themselves. This is a giant step-before we literally had to hunt them down and drag them into the office. A fairly new concept to family alcoholism is the Adult Child of An Alcoholic, which is a big interest to the counselors because the relationship it has on the entire family and how it truly is a family disease. The effect that this has on the family is mind boggling; the roles each member plays, how it effects you throughout your life and with other relationships.

Physical and sexual abuse tend to go hand in hand with alcohol and drugs. Generally, the offender is in a black-out and cannot even remember the incident. The community has tended to ignore that abuse does exist and within the past year or so, parents, students and teachers has expressed there is a need to make others aware. Some of the things that they want to know is; what to do if they suspect abuse; how to ask questions; how to answer questions; what to do if it does happen; or if a child asks for help; and how do you know if something is being done if you do report it.

Another issue regarding abuse is domestic violence. With the law regarding domestic violence, the community had no choice but to admit there is a problem. Many offenders must come to the Alcohol Program and go through an evaluation and may have to stay with our program for a certain amount of time, but many do have the black outs but don't believe that they have an alcohol problem. But like child abuse, domestic violence tends to go hand in hand with alcohol.

Developing coping skills for the entire family has been a objective for our prevention program. A few of the schools on the reservation have begun to implement "Here's Looking at You Too" (HLAY2) while others have similar programs in their health areas. These programs deal with coping, refusal, decision-making skills, developing self-esteem and education regarding alcohol and drugs. Now the parents are asking for this education too!

In the past two years, we had very little if any parent support group on the reservation. In the last year or more, Inchelium has developed a strong task force which pushed for some type of education on alcohol and drugs, hence now HLAY2 is being implemented in the school and now are requesting information on child abuse. Omak parents just this fall have begun a Parent Support Group and alcohol and drug education is their number one priority. They have tenatively scheduled a workshop on alcohol and drugs in February 1986 with the assistance from students, school, social programs and the Omak Center. Nespelem has begun organizing activities primarily for the youth, such as cultural activities (pow-wows), dances, basketball tournaments, etc... Keller is still in the stage of becoming organized but its a start.

One last aspect that has been a big problem all over the reservation has been chewing tobacco. Children as young as kindergaren age chew, and parents are aware of this,even buy the cans for them. There needs to be some kind of education for the parents and children of the implications that can develop from chewing tobacco. I, myself have only seen one phamplet on chewing tobacco.

I hope this helps you Eloise, and good luck!

cc: chrono

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Chairman MILLER. Mr. Navarro?

STATEMENT OF JOHN NAVARRO, TERO TRAINING DIRECTOR, COUNCIL ON TRIBAL EMPLOYMENT RIGHTS, SEATTLE, WA

Mr. NAVARRO. Mr. Chairman. Congressman Lowry.

My name is John Navarro. I am the director of training for the Council on Tribal Employment Rights. I would like to thank the committee for the opportunity to present to the committee an overview of the council, and also the approach that the council is taking to attempt to improve the social and economic welfare of Indian children, the youth—and, of course, families.

To begin, I think it is important that I provide this gathering here with a little explanation or overview on what that council is.

First of all, the Council for Tribal Employment Rights is a national Indian organization. It was created by and is made up of over 80 Indian tribes. Each TERO represents the interests of an individual sovereign nation; these nations joined together to form CTER because they recognized that there was strength in collective action and that the benefit to be derived from this collective action would benefit the individual, the tribe, the tribal community, and also non-Indian communities.

A little bit about TERO—what is TERO? TERO is a concept of self-help. It is a concept that embodies the ideal of self-help and its premise is that the economic and social welfare of Indian people can be improved, and if it is to be improved, it must start from within.

We know the tribes have been waiting for over 200 years for help from the Federal Government and from other areas to improve these situations on reservations; it has not worked.

The strategy that the TERO's are using incorporates or integrates the use of tribal governments, plus the Federal Government, the development of entrepreneurship or business on reservations, and also the development of the human resource or you and capital.

The purpose, very simply stated, is to provide access to economic opportunity to Indian people. The characteristic, No. 1, is that it is an exercise of self-determination. We know that self-determination is kind of a chic word in Indian country. It sounds good, but it cannot happen right now under the current relationship that the—under the kind of situation that exists between the tribes and also the Federal Government.

Now, the key characteristic of TERO is that it is action-oriented. We know that all the good intentions, all the talk, all the studies, all the meanings of this sort will not produce a single thing if we do not attach an action plan to it.

The tribes recognize this, and attach an action plan to their TERO programs.

Why are tribes seeking the action, the TERO action? Why are they establishing their TERO programs?

I will give you several reasons:

No. 1, employment is a resource. Now, it sounds very basic. I am sure that many of the people in the room do not know that. However, those people—some Federal agencies, for example—the Bureau

of Indian Affairs, HUD in some cases, IHS in some cases, fail to recognize the importance of this resource.

For example, contracts are let on reservations to build roads. The Federal law requires Indian preference, but there is no enforcement mechanism. The Bureau will normally shuffle off the responsibility by saying, "Our primary objective is to get the road built."

And they forget that the tribes need the employment resource.

Another reason why tribes are taking this somewhat assertive action is, the unemployment. You heard it from Eloise. I think the figures that I am going to give you right now are well documented, and also some of the social conditions that exist on reservations.

The unemployment across this country on Indian reservations is 25–85 percent. Sometimes those of us that deal with numbers, we forget what those numbers compare with the other unemployment figures we have here.

For example, in November 1982, the United States hit an unemployment rate of 10.2 percent. The headlines in the newspaper the next morning were "We Have Hit a Disaster." OK, a disaster, 10.2 percent for the main stream is a disaster.

In the late 1920's, early 1930's, the United States had an unemployment rate of 24.8 percent, and we know that that period was called the "Great Depression."

So, 24 percent is the "Great Depression," and 10 percent is a "disaster." Then, what in the world, in the greatest country, in the richest country in the world is 25–85 percent?

Once again, lest we forget what these figures translate into in terms of human suffering, let's take a look at what they mean.

First of all, they mean the lowest per cap in the country. They mean the highest alcoholism rate in the country, the highest suicide rate in the country, the worst housing conditions in the country, the worst medical facilities in the country, the worst educational facilities in the country—rather institutions in the country.

They mean hopelessness, despair, depression, and so on.

The next reason why tribes are taking action or self-help ideas—the failure of the system.

Let me just give you some of the failures. First of all, we have lost and have failed to reach Indian country. We have the Civil Rights Act, which prohibits discrimination. It has not worked for Indians.

We have the affirmative action plan, which the current administration, as you all know, is trying to dismantle now. Executive Order 11246—it has not worked for Indian people.

And we have specific laws in employment, the Self-Determination and Education Act, 7(b), says that Indian preference must be, is required on all projects, for all moneys—Federal moneys that are used for on behalf of, for the benefit of Indian people, rather.

We have the Buy Indian Act that was written in 1910. It has not worked for Indian people. In fact, there has been legislation on the books since 1834, and Indian people not only have Indian preference in employment, but they do not have employment opportunities at all.

Another part of the system that has failed, or what we have right now is the cutbacks that you were talking about a little bit ago.

We have a people that are almost 85 percent dependent on the Federal Government, and we are talking about cutting back the Federal budget. Obviously, the devastation is going to cost the Indian people. We do not even know what it is going to be. Can it get worse? Can it get worse than 25 to 85 percent unemployment? We do not know.

Can it get worse than a people having the highest suicide rate and so on?

What are we doing about it? How does the TERO Program work?

First of all, it integrates three very important essentials: No. 1, governance; No. 2, the development of the entrepreneurship, economic development; and, No. 3, the development of the human resource.

In the governance area, tribes are beginning to write their own laws. Mr. Congressman, you earlier—when you talked about, when you introduced me, you said that I represented TERO. I want to make sure that everybody understands what TERO is.

TERO stands for Tribal Employment Rights Officers. What tribes are doing is writing their own resolutions and ordinances that require Indian preference on all economic activity on reservations.

They have also put together an administrative structure, a TERO Program that goes out and makes sure that the laws, and the wishes of the tribal people are being adhered to.

The next thing that tribes are doing is that they are becoming sophisticated in the writing of contracts and leases. They know they are plugging into those contracts, mutually beneficial type arrangements as opposed to the past where once I had benefited and the tribe had not benefited.

Also, tribes in the TERO Program are beginning to use the Civil Rights Act, to use the Affirmative Action Programs. We are becoming sophisticated in the use of the Federal laws.

The next thing the tribes are doing is they are putting together a synergetic effort, in synergy for those people that do not know what it is—it is putting together a team-type concept.

On the microlevel, tribes are beginning to maximize the effect of all of their programs. For example, they realize now that the JTPA Program, for example, is responsible for training and developing the human resource for unsubsidized employment.

The TERO Program, on the other hand, is responsible for seeing that if there is employment opportunity on the reservation, that it first goes to qualified Indian people.

We know that the educational system is responsible for preparing people all the way from the grade school all the way on up into adulthood.

They must help put together an educational program that makes people competitive, that can deal with the change in environment, and the very high and complex society we live in nowadays.

Anyway, putting that in together into a synergetic plan.

At the macrolevel, we are learning that we must work with Indians as well as non-Indians. Tribes must work with the private sector—that's the Motorolas, the IBMs, the Digitals, the Honeywells—these are the people that provide opportunities.

We also must work with the public sector—the Bureau of Indian Affairs, which, as you know, in the past, has had a bad name in

Indian country. There have been a lot of problems, but tribes now are beginning to recognize that it is going to take a team effort, a coordinated team effort between the tribes, the private and the public sector, and also the Indian and non-Indian person.

Tribes are beginning to work with non-Indian communities around the reservation. Are there benefits to this idea of self-help?

Let me give you just a quick—a glimpse at some of the benefits of a job, by the way. First of all, you reduce unemployment; you provide access to opportunity; you reduce dependency; you improve self-esteem. You improve family stability. You provide successful role models where none existed in the past. You provide Indian youth with the opportunity to reach their expectations.

What does a job or income buy? It buys better education. It buys housing. It buys mental health. It buys medical attention. In other words, all of those things that I said earlier, or conditions—actual conditions on reservations right now can be alleviated or reduced if a person just had a job, or access to a job—all of those things could be bought, with dollars.

That is the concept in a nutshell. As I told you, we are—we now have over 80 tribes that have adopted this idea; we have another additional 5 or so tribes that are beginning to start their programs.

In a minute, you will hear from Donna Olson. She is going to give you a specific reservation example of how TERO is working. We do not have any recommendations at this time. The only area that we are concerned with is obviously Federal cutbacks, that seriously devastate or impair the tribes' ability to provide better and quality education, to provide better and quality training; to develop the resources that are on reservations.

So, we need to help the Government understand that in Indian country, right now, because of the relationship—the dependency relationship—we have got to provide a better, more effective way to deliver these services, you know, to the tribes.

That concludes my presentation.

I will be submitting a written statement to the group within the next few days.

Thank you very much.

Chairman MILLER. Thank you.

Donna, you may proceed.

STATEMENT OF DONNA OLSON, EMPLOYMENT AND TRAINING BRANCH MANAGER, NEZ PERCE TRIBE, IDAHO

Ms. OLSON. Thank you for inviting me.

My name is Donna Olson, and I am the employment and training manager for the Nez Perce Tribe located in northern Idaho, which includes the administration and operation of the TERO Program.

Our TERO Program has been in operation since 1979, and it was basically put into operation to address the high unemployment rate that was happening there just as it was on reservations across the United States.

On our reservation, an Indian Health Service and a Bureau of Indian Affairs agency are located, as well as the tribe. Those three employers have traditionally been good about hiring Indians, but

one day it came to light that if all Indians wanted jobs, those three agencies could not possibly begin to address the unemployment that existed on our reservation.

Private sector employment was largely untouched, and the private sector is very discriminatory about giving jobs to Indians. It's very family oriented in our small timber-based community.

Indians were very seldom seen in private sector employment, so we adopted a tribal ordinance in 1979, just as John explained, that said if you do business on this reservation, one of the requirements will be that you hire Indians. That applied to the mills, to the construction contractors. If you are going to build a dam or a road on our reservation, you are going to hire, or the tribe would sanction you with fines or a stop-work on your project.

Initially, there was a lot of resistance on the part of the contractors, because we were dealing with a lot of stereotypes. "Your people do not have the skills. They do not come to work after payday. They all drink too much." We spent a good 5 years in public relations efforts with employers and with construction contractors overcoming a lot of these stereotypes, and what really addressed it was the workers themselves.

I cannot tell you how frustrating it is to work with a group of people who sincerely want to have a job, and who have never had the opportunity and have never had doors open like mainstream American youngsters have, to access a job, and I cannot tell you how rewarding it is to finally latch on to an instrument like this ordinance that says to employers: "You will hire Indians," and then turn around and say to a person who really wants to work: "You can have a job, and you will have a chance"—maybe for the first time for someone who is in their late thirties to try a job. What we found out is that a lot of people were willing to be dependable, to show up, to give employers a good 8 hours' worth of work, and after 7 years of operation, we now have contractors who have hired permanent, full-time people on their payroll to take off the reservation as well as on.

And we have repeat contractors who will come back to the reservation and call out a work force of 30 or 40 people, by name.

And, so, the people themselves broke down a lot of the negative stereotypes which have developed over the years for lack of opportunity.

One of the ties that I would like to make, and that I know you are addressing here, is the family stability issue.

On our reservation, the Indian work force is right around 1,000 people, and in 1984 and 1985, in addition to all the other employers that we enforced TERO on, there were 2 major federally funded highway projects on our reservation. From those 2 highway projects, 95 jobs and $317,830 were generated to tribal members.

We could see with a small work force, the size of ours where we know everyone, immediate impacts in all the sociological areas. We saw family stability. We saw drug and alcohol abuse decrease, because people found out if you are making $13 or $15 an hour, you do not want to risk that kind of a paycheck for a good time on Tuesday night. A lot of it ceased altogether, and a lot of people limited it to weekends.

We have the school report that children of working fathers or mothers had increased attendance and decreased tardiness.

Economically, on the reservation, to a lot of families, telephones, and automobiles are still luxuries. By having a job for 4 or 6 months out of the year that paid a decent wage—and I want to emphasize that "decent wage" because a lot of times the Federal Government programs that John talked about had never provided a decent living wage for Indians—many Indian families were able to obtain telephones and reliable transportation which further enhances their employability.

So, besides the economic impact, we felt that there were a lot of positive impacts related to the family. When everyone is staying at home and supporting a mother or father to get up in the morning, make lunches, be at work on time, come home, provide a relaxing atmosphere—it seems to have a very positive effect on the whole family.

I do not know how you document these family issues, but our tribal council, and our tribal staff watched this family stability develop and become stronger as more jobs became available or as a permanent job was gotten by a tribal member.

There are two things that I would like to mention in the closing; one is that it should be emphasized that TERO is not a federally planned program. TERO is a tribally mandated law.

I think that the tribes deserve a lot of credit for developing an effective tribal ordinance which requires very little money to operate. It is so much more effective then a federally planned CETA Program that poured millions and millions and millions of dollars on to reservations and left us with nothing. It was a temporary Band-Aid to a big problem. I was involved in the CETA Program for about 5 years as an administrator, and I wished that we had at that time known about TERO and been able to put that money into a TERO Program.

It's important that Congress let the tribes do their own planning, and this is a prime example of how successful planning can be undertaken at the tribal level for our own people.

Another issue I'd like to mention is that ironically the Federal agency who has most supported the TERO Program is an agency who has no legal responsibility to tribes, and that is the Equal Employment Opportunity Commission. They have supported both financially and with technical assistance and training the tribes since 1976.

My personal opinion is that the Department of Labor has been a miserable failure in working with tribes. They're so interested in rules and regulations, they don't care about results, they don't care about human aspects. If you have something missing from a file they're going to question all your costs regardless of results. They cause so much trouble for tribes I question the validity or the value of having Labor there.

EEOC on the other hand has put minimal money into these programs, but has offered technical assistance and training of the highest quality I've seen offered from any Federal agency. And they probably deserve a pat on the back for providing that without any legal requirements to do so.

The recommendation that I have based on the TERO and all of the positive impacts that they have on our families, youth, and children, is that we need support from Congress—not so much financial support because most of our people and most of our programs would prefer not to have Federal support at least down the road.

When certain employers or certain organizations or certain contractors come in to congressional offices, we would like for Congressmen to weigh having Indians on welfare, general assistance, federally funded programs versus having a small cost effective program placing Indians in the private sector, which we understood was the administration's desire anyway.

So, we would ask for continued support for the program, and maybe a little better understanding between the tribes and our congressional people regarding the legalities and benefits of the TERO.

Thank you.

[Prepared statement of Donna Olson follows:]

PREPARED STATEMENT OF DONNA OLSON, EMPLOYMENT AND TRAINING BRANCH MANAGER, NEZ PERCE TRIBE, IDAHO

One of the most critical factors contributing to the stability of the American Indian family is employment. Due to discrimination, low skill levels, and lack of private employers located on-reservation, employment has been largely inaccessible to Indian people as evidenced by the high unemployment rates on Indian reservations, most exceeding 40% and many as high as 80%. On the Nez Perce Reservation the Tribe, the Bureau of Indian Affairs and Indian Health Service have always hired Indians but in order to address the severe unemployment it was necessary to look at local private sector employment for Indian people, which was by and large unbroken ground.

To address this problem, the Nez Perce Tribal Executive Committee in 1979 passed a Tribal Employment Rights (TERO) ordinance which made Indian preference in hiring and other employment aspects, tribal law for all employers operating within the exterior boundaries of the reservation. This law mandated that if an employer were to conduct business on the reservation, he consented to hire, train and promote American Indians in order to be in compliance with the law of the land. The tribal responsibility lie in developing a job skills bank of the Indian work force, developing a referral system, negotiating goals and time tables with employers and monitoring and enforcement of the TERO ordinance.

Employers must have Indian hiring agreements signed before any work commences on the reservation and the TERO has been very successful, especially with construction contractors, in providing local well paying jobs to Indian people. Prior to the passage of the TERO ordinance virtually no jobs were filled by Indians on on-reservation construction projects, even tribal projects funded by the tribe, BIA, HUD or other federal agencies. Since then, every project utilizes Indian labor as skill levels allow. In 1984 and 1985 the two largest projects took place, federally funded highway construction projects which resulted in a total of 95 jobs and $317.830.18 generated to Indians. These figures compare to zero jobs and zero wages prior to the implementation of the TERO.

The TERO also works with employers such as lumber mills and business establishments on reservation to negotiate TERO agreements for Indian hires. There has been some success in Lewiston, a border town which traditionally has not hired large numbers of Indians, in referrals and based on the public relations efforts of the TERO staff.

The effect of substantial employment at decent wages for a large number of Indian people is dramatic and far reaching. The economic impact is reflected not only in the nuclear family unit, but in the extended family unit and tribal community at large due to the strong ties which still exist at those levels. The tribal value of sharing is still a strong one and minimal economic success generates a sharing of earned income with many. In addition to the capability to provide basic necessities to the family unit, items that are still a luxury to many American Indian familes,

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* * * a car or a telephone, become accessible to the family of the employed Indian, and may even increase his/her employability in the future.

In a workforce numbering just under 1,000 other dramatic impacts have been observed by the TERO staff and tribe, as a result of employment. Family stability is increased. Drug and alcohol abuse decrease. School attendance increases and tardiness decreases. When an entire family is providing mental and physical support to a family member going to a job every morning, the lifestyle becomes centered around the retention of that job and the resulting pay check. Alcohol and drug use may cause the loss of a job so many workers have limited use to weekends while employed or cease use altogether.

While Indians for many decades have been accused of lacking a work ethic, in truth the opportunity to have work was simply not there. There now may be a generation of Indians developing a very strong work ethic that will pass down to the next generation, provided employment rights remain a priority on the Nez Perce Reservation.

Interestingly, the TERO concept is not a federally planned program, but a tribally developed law. The TERO has provided far more benefits and results to the Indian people than the CETA program which poured millions of dollars onto reservations and accomplished very little in terms of training or employment. The TERO is very cost effective to operate, requiring salaries and mileage for staff who carry out negotiations and compliance. The TERO is potentially an economically self-sufficient program by implementing taxes on reservation employers, which some tribes have already begun.

Ironically, a federal agency who has no legal responsibility to tribes, has nurtured and assisted tribes with the TERO concept. The Equal Employment Opportunity Commission has worked with Tribes since 1976. Their assistance has consisted of high quality training and technical assistance and contracts, which address the TERO ordinance enforcement and also Title VII enforcement by the TEROs on off-reservation employers. The EEOC's attention and assistance has helped to generate jobs and training on reservations unequalled by any other program. EEOC funded 36 tribes this fiscal year with contract levels at $25,000.

We believe that the TERO has been mutually beneficial to both Indian workers and employers. Employers exhibited very high resistance to the law in 1979 but that resistance is much less today. Successful Indian workers have helped to destroy negative stereotypes about Indians. Many construction contractors have hired Indians on their permanent full-time payrolls for out of area work as well. Others who come back for second and third contracts request their Indian workers by name based on past performance. The tribe has made strong efforts at a public relations approach, and the sanctions embodied in the TERO ordinance for violations have been used very little and only under extreme conditions.

It is my position that each individual has a right to dignity and that dignity includes the right to a job on his/her own reservation. With the rich history and culture of our people, and the strengths developed from living in this system, accessibility to enough jobs for all our people will strengthen family ties, provide a strong nurturing family and community base for our youth and children and lessen all the social problems that have run rampant on reservations since their creation. I believe that continued support of the TERO effort may, within the foreseeable future, provide that employment.

Thank you.

Chairman MILLER. Would you please identify yourself for the stenographers.

STATEMENT OF ALLEN SLICKPOO, SR., SECRETARY, NEZ PERCE TRIBAL EXECUTIVE COMMITTEE, IDAHO

Mr. SLICKPOO. My name is Allen Slickpoo, Sr. I am the Secretary of the Nez Perce Tribal Executive Committee and an elected official who was delegated to come up here to make a presentation of a written statement on behalf of the tribe.

In addition to the statement that I will submit, I would like to kind of follow up on some of the basic points that we are making in this statement in relation to the economic situation on our reservation, and I am sure that the problems are identical on many other reservations throughout the United States.

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One of the things that I would like to mention is that the attempts are now being made within the U.S. Congress to eliminate those valuable educational and training programs in which the private sector, especially in our area, cannot adequately meet those needs or the opportunities that have otherwise been offered through the Federal agencies.

Gentlemen, in our area, adequate training and employment opportunities have become so limited and consequently competitive. Because of the economic decline in our area, many of the saw mills, one of the most—one of the world's largest white pine, yellow pine sawmill in the world, the Potlatch Corp., shut down recently, which had quite an impact into the area. They are now beginning to rehire again or bring back the operation.

Everybody is looking for jobs in our area. And there is no question about it that we realize that there still exists an invisible wall of discrimination when it comes to employment. We have to take a secondary or back seat, if you will, in consideration of being employed especially in the private sector that is dominantly non-Indian.

This has critically affected our family stability and our economy, and I hope that the Congress of the United States will take into consideration these valuable concerns that the people have expressed; and, particularly, in making comparison to that of the foreign aid programs that are being incorporated with strong emphasis as compared to that of the domestic needs within the United States—and particularly to the Native American.

We realize that the United States still, as far as we are concerned, has an obligation to the Indian people more so than they do to any other parts of the world.

Thank you.

Chairman MILLER. Thank you.

[Prepared statement of Allen P. Slickpoo, Sr., follows:]

PREPARED STATEMENT OF ALLEN P. SLICKPOO, SR., SECRETARY, NEZ PERCE TRIBAL EXECUTIVE COMMITTE, NEZ PERCE TRIBE, LAPWAI, ID

Like many other Indian Tribes throughout the United States, the situation with the Nez Perce Tribe has its share of socio-economic problems that has hindered "self-sufficiency" goals and objectives and maintain family stability.

Our families have been forced to be confronted with much difficulties in high unemployment and which has become a competitive field with the general population of our area.

Our average family income is much lower than that of the non-Indian population of the surrounding area and the state. Consequently, many of our families still live at poverty level.

It has always been an experience of history that the Indian people have always been faced with "poverty level" situations. Perhaps this can be attributed to the competitive situations for jobs and the call for skilled labor force to meet the requirements of the employment availability.

We recognize the need for better education. In this respect, we have come to realize that employment training plays and important role in providing specialized skills that can meet the employment demands and in maintaining an adequate work force and employment of our tribal members.

The impact of the Reaganomics have had a significant impact on many of our ongoing programs, programs that have offered tribal employment opportunities. The decreased availability of employment opportunities have hit our young people, hard, especially those with families.

The area has had an economic impact to the extent that jobs are becoming scarce and competitive. We need to maintain the necessary tools to provide the training in

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a skilled trade for our tribal members but due to the lack of funds they can not be met.

The United States Congress has given clear indication of their intent through appropriate legislative acts directed towards such problems of unskilled labor force and lack of adequate training, in hopes that we would become self-sufficient.

The purpose and intent of the United States Congress is now faced with contradictory legislative acts, to the extent that the policy of the Congress, in expressing their concerns with the problem, are becoming meaningless. In other words, the investment in the education of our young people have become questioned.

We hope that the United States Congress will take a more positive outlook to preserve the availability of training programs in the necessary skills needed, since the future rests with our young people.

We strongly feel that the billions of dollars of unnecessary waste in military spending should not be condoned at the expense of our children, by our congress.

Thank you.

STATEMENT OF LYNNE WALKS-ON-TOP, ECONOMIC DEVELOPMENT PLANNER, SPOKANE TRIBE, WASHINGTON

Ms. WALKS-ON-TOP. Good morning. My name is Lynne Walks-on-Top, and I am the economic development planner for the Spokane Tribe.

On behalf of the Spokane Tribe, I would like to thank you for this opportunity to present this testimony. I submitted written testimony giving a lot of background on the Spokane Tribe, on our resources, and how long we have been there, and what we are doing.

I will now address some of the problems.

Chairman MILLER. All of your prepared statements will be made part of the record of the hearing. Please proceed in a manner that is most comfortable.

Ms. WALKS-ON-TOP. Thank you.

Marked increases in the instances of child abuse and neglect have been identified through the social worker, the Indian Child Welfare Committee and police records.

In preparing applications for Federal assistance for child abuse and neglect programs, I have been privy to these statistics.

In 1984, there were 13 child abuse and neglect cases that went through the court systems to Spokane Reservation. In 1985, there were that many in the first 8 months, including two cases of sexual abuse.

Cases involving children represent 33 percent of the caseload of our social worker. And the Indian Child Welfare Committee averages one case a week. There are 12 licensed foster homes on the reservation. These homes are usually at capacity, or they do not feel comfortable with providing shelter to the real problem children.

We are in the process of establishing a youth receiving home to provide emergency services to abused and neglected children. We have identified a site, but, again, we are experiencing monetary problems for implementation.

According to police statistics there were seven runaways reported in 1984. By the first of August 1985, there were 23 reported runaways. Juvenile delinquency is on the rise. Alcoholism and drug abuse also show marked increase in police statistics.

While alcoholism and drug abuse is not a new problem, statistics show that the problem is becoming increasingly evident among the

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preteen population. There have been 9 to 10 year olds reported under the influence of alcohol and drugs.

The Alcohol Information Program that is presently in existence for the Spokane Tribe does not reach the youth. There is no program to address the problems of the youth.

We need to develop a program geared to the youth and the young adult because this is where the largest problem lies.

In community meetings, we have discussed this need, and it is the consensus of the involved community members and the service providers that we need to refrain from including the words "alcohol and drug abuse" in the program itself.

This is the stigma of being involved in a program that has "alcohol and drug abuse" in the name of the program even—causes the young people just to stay away from it. They do not want to be involved in it. The peer pressure—it is not just our young adults either; there are a lot of the older people who do not want to be involved in anything that is titled "alcohol and drug abuse program."

They would prefer, in speaking with someone, they would prefer something of a social club-type thing; but that is in the hands of the community at this time, as to discussing where, how we are going to address these problems.

In the education studies that have been done on our Indian students, we see excellent progress until the seventh grade. Their academic achievement is comparable to, or better than, non-Indian students. From the seventh grade on, their achievement steadily declines, and this is not due to inferior schools or teachers.

The researchers have stated—and we concur—that this is the age when the student faces the reality that they are minority; and the stereotypes that have plagued Indian people since they became a minority in their own land become part of their everyday life.

They are told that they are underachievers; so they stop trying.

They are told that they are dumb; so they will not learn.

They are "drunken Indians," so they think that they must drink.

There are exceptions. And, in looking at the successful students, you will find a solid family structure with steady employment and a positive reassurance from family members that they can do anything they want to with their lives, and they do not have to live according to these stereotypes.

We know the problem and are trying to address it. Providing jobs so families will not have to live on welfare is a step in the right direction.

Providing alternative lifestyles for the drinker and drug abuser is not an easy task, but knowing the problem is a beginning.

Maybe we cannot save those already involved in this lifestyle, but we have made some definite plans for prevention in the schools prior to the seventh grade.

Indian people have always been known as very family oriented with extended family living. The grandmother was the teacher of the values and how things came to be the way they are. The legends were the teacher of the history.

With the changes in our lifestyles, the grandparents now live in their own homes or in a senior citizen complex, and the children do not have the exposure to these cultural teachings.

This is one of the answers that hopefully will be placed in our schools—kindergarten through the seventh grade, to give them some cultural values, give them some Indian pride; hopefully that will address the problem of their lack of interest following the seventh grade when they do reach this age of reality.

All of the problems with our children, youth, and families have been linked directly to our unemployment rate. The Spokane Tribe is experiencing an unemployment rate at this time of 84 percent.

When times were good in the 1970's and early 1980's, when both of our uranium mines and mills were in operation, when times were good, our unemployment rate was 27 percent.

Both of these mines because of their depressed uranium market are shut down. We do not see in the near future them reopening.

The tribe has formed a corporation and partially waived their sovereign immunity to operate as a corporation in their efforts to seek private funds.

With these private funds, we have built a large building on a piece of property that is not contiguous to the reservation; it is located in the Colville Valley, just south of Chewelah.

A computer component business was located at this site. The tribe invested in this business, which produces a tape-drive system that is compatible to IBM; and this tape-drive system will replace 50 discs, each tape.

In their efforts to address the unemployment problem, the tribe has purchased Pacific Cabinet Co., which is located in Spokane Industrial Park. When this business is operating at capacity, it will employ 92 people.

We are also looking at the possibility of a bingo operation in this building in Chewelah. It will not be big Indian bingo; it will be relatively small, with seating capacity between 350 to 380.

These are the efforts of the tribe, to try to address problems of unemployment. All of the investments that have been done have been done under the Century Corporation without the assistance of Federal funds.

We are looking at reservation development along the waterfront, recreational development; it is still in the works. The problem that we are facing in those lines is the fluctuation of the water behind Grand Coulee Dam. It is not very feasible to have a recreation site when the water does not reach up to the docks until late July.

Some of this testimony may seem rhetorical; we realize that the problems that we face are being faced by a lot of other tribes.

We do not enjoy being dependent on Federal moneys to provide needed services to our people. Our situation with the cutbacks and proposed cutbacks in Federal funding, and with our tribal enterprises not making money yet, we know things are going to get worse before they get better.

I have no recommendations except that we are still in need of Federal help. We do not like it; but that is just the way it is.

Thank you.

[Prepared statement of Lynne Walks-on-Top follows:]

PREPARED STATEMENT OF LYNNE WALKS-ON-TOP, TRIBAL PLANNING DEPARTMENT, SEATTLE, WA

INTRODUCTION

On January 18th, 1981, the Spokane Tribe celebrated one hundred years of existence as a Tribe. The theme of this celebration was "A Century of Survival." The economic outlook at the time was not without problems, but we began our second century with optimism for providing for the future of our members, and residents of the Spokane Indian Reservation. It is with this same optimism that the Spokane Tribe is attempting to alleviate the problems we are facing now. In the following text we have outlined some of these problems, as well as present and future plans to address these problems.

We realize that optimism and determination alone will not solve all of the problem facing the Spokane Tribe. However, we know that acknowledgement of these problems, and the constraints we will face in solving them, is a step in the right direction.

BACKGROUND

The People: "The Children of the Sun", the Spokane Indians have inhabited what is now northeastern Washington, northern Idaho, and western Montana since before recorded history. Tribal legends tell of the Tribe as having always been here. It is estimated that the Spokane

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Tribe numbered over 5,000 before the coming of the white man. By 1900 there were less than 800 tribal members left. Today there are just over 2,000 enrolled members, with 954 members residing on the reservation.

According to an updated census survey completed in September of 1984, the reservation population is 1,494 persons. In addition to the tribalmembers in residence, there are 244 other Indians,and 296 non-Indians.(See Appendix A - Population statistics.)

The Reservation: The Spokane Indian Reservation was established in 1881, 9 years before Washington was granted statehood, by Executive Order of then President Rutherford B. Hayes. Originally 194,000 acres were set aside for the Tribe in exchange for the vast areas in Eastern Washington and Northern Idaho.

Today the reservation is comprised of approximately 155,000 acres, with 104,000 acres belonging to the Spokane Tribe; 26,000 acres belonging to individual tribal members; 3,000 acres in the hands of federal agencies; and the remaining balance of 22,000 acres being deeded land belonging, for the most part, to non-Indians.

The reservation is located in southern Stevens County, in eastern Washington State, approximately 45 miles northwest of the city of Spokane. (See Appendix B - location map.)

The reservation is almost a peninsula with water on three sides. The Executive Order establishing the reservation specifically stated that the boundaries were to the far bank of the Chamokane Creek on the east; thence south to the Spokane River, across the river to the far

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bank; then following the river westerly to the confluence of the Spokane and Columbia Rivers, across the Columbia to the far bank; and then north to the 48th parallel. The Federal government recognized the Indian dependency on water. Since the establishment of the reservation, the Tribe has experienced much controversy and litigation regarding jurisdiction of the waters that were originally set aside for the Spokane Indians.

Although the Tribe has legal jurisdiction over these waters, we have not been able to pursue economic development in this area due to the extensive litigation with Washington Water Power. Recreational development is on hold because of the fluctuation of the water behind Grand Coulee Dam.

Spurs of the Cascade Mountain Range thrust north/south through the reservation, with broad expanses of plateau and valleys between. The mountains are heavily timbered, with lakes and ponds dotting the area. The altitude varies from 1,310 to 6,500 feet above sea level. The climate is moderate, with temperatures varying from -12 to 100 degrees. The average percipitation is 9 to 15 inches. The air is normally dry and clear.

Reservation Government and Services: In the south-central part of the reservation is the settlement of Wellpinit. The Tribal Administrative Offices; the Bureau of Indian Affairs Agency; and the Indian Health Services Clinic are located in Wellpinit.

The Tribe is governed by a five (5) person elected Council, who are elected for 3 year terms, and a staggered basis. The BIA

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Agency provides services to the Spokane and Kalispel Tribes through this agency located at Wellpinit. The Indian Health Service operates a clinic, providing medical and dental treatment; mental health counseling; and a pharmacy. Through the IHS, the Tribe contracts for an Alcohol Information School program and a Community Health Program. Funding to provide police services and a Social Worker position is received through the Bureau of Indian Affairs.

Other service programs presently in existence on the Spokane Reservation are:

WIC(Nutritional Program) funded through Washington State/DOE;

Low Income Energy Assistance - Office of Family Assistance;

Commodity Foods Program - USDA

Self-help Home Ownership, and Rental Program - HUD

RESOURCES

The most outstanding resource of the Spokane Tribe is it's labor force, which presently stands at 1,025, with 952 of these being of Indian descent. The majority of this work force are unskilled, which contributes to the 84% unemployment factor. It is the opinion of the service providers on the reservation that this extremely high unemployment rate has a direct bearing on the rise of social problems on the reservation. (See Appendix c - Unemployment statics.)

The Spokane Tribe has two (2) uranium mines located on the reservation, with one (1) processing mill on the reservation, and one (1) located adjacent to the reservation. During the peak periods of operation of just one mine/mill, 350 persons were employed, with many commuting from the city of Spokane. Due to the depressed

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uranium market, 16 persons are now employed by this operation. Mining has ceased at both mines, and due to the market value of uranium, we do not foresee them reopening in the near future.

Timber has always played an important role in the economy of the Spokane reservation. Again, because of the depressed market for logs, there hasn't been much activity in this area, but the Tribe has been involved in a post and pole plant that produces a substantial number of fence posts a year, utilizing Lodge Pole Pine. The post and pole plant is an Osmose K-33 pressure treated wood preserving operation. This operation was recently expanded to diversify their production to include treated lumber, and it was placed under the Tribe's "Century Corporation" to improve the management of the business, and expand the marketability of the products.

The other Tribal resource of magnitude is water, and potential waterfront development. The Tribe's in the process of negotiations with a development company and another Tribe to develop this potential which will provide jobs for reservation residents, as well as needed revenue for the Tribe.

The main problem facing the Tribe in this development is the fluctuation of the water,both in the Spokane River and Lake Roosevelt. Until there can be some control over the water levels behind Grand Coulee Dam, development of recreational sites will remain minimal. There are times when the water does not reach full pool until late July, which is well into the recreation season along the waterfront. This is a definite deterrent to development which would provide jobs; revenue; and address the social problems of the Tribe.

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ECONOMIC DEVELOPMENT

The Spokane Tribe owns a piece of property a few miles south of Chewelah Washington. This property is in trust, and is not contiguous to the reservation. It's location has deemed it ideal for industrial and commercial development.

In order to seek private funds for the development of this property, which is called "Mistequa", the Tribe formed "The Century Corporation". This corporation, though tribally owned, partially waives sovereign immunity, and therefore may operate as any other corporation.

Funds were secured to place a structure on the Mistequa property. The building was constructed to house a computer component business and a bingo operation.

Spokane Tribal Manufacturing Group - STMG: In an effort to provide revenue for Tribal Operations, the Spokane Tribe invested in a computer component business out of Portland, Oregon. In a partnership agreement with CBS, STMG produces a tape drive system that is compatable with IBM, and has the capacity to replace 50 discs. Marketing of this product is on-going, and STMG has relocated to Spokane Industrial Park, where the Tribe owns another business.

Bingo: While Bingo, especially Indian Bingo, has experienced controversy throughout the country, it still remains a source of alternative funding for many Tribes. We are told to strive for self-sufficiency, yet when we exercise our sovereign status, and give competition to the charitable bingo operations, every effort is made

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to stop us.

I am not speaking now of the Spokane Tribe, but of Indian Tribes in general. The building at Mistequa was not built to house what is referred to as "BIG INDIAN BINGO", but will seat 350 to 380 players. Therefore, we do not foresee any problems with the State. Due to the national controversy surrounding Indian Bingo, there was local controversy among tribal members also. The go-ahead for a six (6) month trial period was given by the General Council at a meeting held in November, 1985.

Columbia Manufacturing: Again in the Tribe's effort to provide jobs for our people, and generate revenue for tribal operations, the Tribe has purchased the Pacific Cabinet Company, presently located in Spokane Industrial Park. Future plans include relocating this business to the reservation.

Columbia Manufacturing produces oak and hardwood cabinets for retail sale. Diversification into other wood products is being considered, as well as attainment of SBA 8 (a) status for Columbia and the Tribal Wood Products business to allow them preference in seeking Department of Defense contracts.

When operating at capacity, Columbia Manufacturing will employ 92 persons. It is out goal to train tribal members to fill these positions.

PROBLEMS - Children, Youth, and Families

All of the information on the previous pages was provided to familiarize you with the Spokane Tribe, as I'm sure some of you have never heard of us. I will now attempt to relate the specific

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problems that are facing the children, youth, and families on the Spokane Reservation.

Children: Marked increases in the instances of child abuse and neglect have been identified through the Social Worker; the Indian Child Welfare Committee; and police records. In 1984 there were thirteen (13) child abuse/neglect cases that went to court. In 1985 there were that many in the first eight (8) months, including 2 cases of sexual abuse.

Cases involving children represent 33% of the caseload of our Social Worker. The Indian Child Welfare Committee average one case a week. There are 12 licensed foster homes on the reservation, these homes are usually at capacity, or they do not feel comfortable with providing shelter to the real problem child. We are in the process of establishing a youth receiving home to provide emergency services to abused/neglected children. We have identified a site, but again, we are experiencing monetary problems for implementation.

Youth: According to police statistics there were 7 runaways reported in 1984. By the first of August of 1985, there were 23 reported runaways. Juvenile delinquency is also on the rise. Alcoholism and drug abuse also shows a marked increase in police statistics.

While alcoholism and drug abuse is not a new problem, statistics show that the problem is becoming increasingly evident among the pre-teen population. There have been 9 to 10 year-olds reported under the influence of alcohol and/or drugs. The Alcohol Information program does not reach our youth.The stigma of participating in such a program is an outstanding problem for all reservation residents, not just the

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youth.

We need to develop a program geared to the youth and young adult, as this is where the problem lies. In community meetings we have discussed this need and the concensus of the involved community members and the service providers, is that we need o refrain from including the wording "alcohol and drug abuse" specifically in this program. We must approach the problem culturally, and provide alternatives to the drinking and "getting high"lifestyle of our young people.

In education studies that have been done on Indian students, we see excellent progress until the 7th grade. Their academic achievemant is comparable to or better than non-Indian students. From the 7th grade on, their achievement steadily declines, and this is not due to inferior schools or teachers. Reserarchers have stated, and we concur that this is the age when the student faces the reality that they are a minority, and the stereotypes that have plagued Indian people since they became a minority in their own land become part of their everyday life. They are told that they are underachievers, so they stop trying; they are dumb Indians, so they won't learn; they are drunken Indians, so they think they must drink. Of course, there are expectations,and in looking at these successful students you will findd a solid family structure with steady employment, and a positive reassurance from family members that they can do anything they want to with their lives, that they do not have to live according to stereotypes.

We know the problem, are are typing to address it. Providing jobs so families won't have to live on welfare is a step in the right

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direction. Providing alternative lifestyles for the drinker/drug abuser is not an easy task, but knowing the problem is a beginning. Maybe we can't save those already involved in this lifestyle, but we do have a definite plan for prevention.

We have proposed a program to the Department of Education to provide Indian Language classes to the students in grades Kindergarten through sixth. We also propose to provide cultural instruction in the following classes:

Science: Indian Herbs - what they are, how they are used, and where to find them.
Indian foods - how to gather them, how to cook them, and where to find them.

Music: Indian singing and drumming; traditional games; traditional costume making; traditional dance.

History: Indian legends by tribal elders; Spokane Indian History; Spokane Indian Leaders; Indian Leaders of other Tribes.

It is our hope that with this knowledge, our students will experience such pride in their heritage that they will not be discouraged when they reach the age of reality, and they will continue to excel academically.

The children and youth of our Tribe are our future, without them we will not survive our second "Century of Survival."

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Families: Indian people have always been known as very family oriented, with extended family living. Grandmother was the teacher of values, and how things came to be the way they are. The legends were the teachers of the history.

With the changes in our lifestyles, the grandparents now live in their own homes, or in the Senior Citizen complex, and the children do not have the exposure to the cultural teachings. Grandmother has changed. The lifestyle of the dominant society has infringed on the traditional ways of our people. While some changes are necessary for our continued existence, obviously some things should remain the same. Our people are not prospering, due to some of these changes.

We have had a rash of attempted suicides among our youth, during the times when families were more traditional, life was sacred and you would not bring grief to your family. Thankfully none of these attempts were successful.

Instances of family violence represent an outstanding portion of police cases. Most of them are alcohol related. According to the Alcohol program personnel, when there are no jobs self-esteem is non-existent, the inability to provide for the family enhances the appeal of escape provided by alcohol. The drinking results in family disturbances; violence to the spouse and children; divorce or desertion; child abuse and neglect; juvenile delinquency; runaways; and attempted suicide. The list goes on with a snowball affect.

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SUMMARY:

Some of this testimony may seem rhetorical, but we are dealing with cold, hard facts.

We do not enjoy being dependent on federal monies to provide needed services to our people, and with the cutbacks and proposed cutbacks of Federal funding, our situation will get worse before it gets better.

Some of the funding received for services were assured to us through treaties with the United States Government, it is difficult to be understanding to the cutbacks and elimination of programs that our people have come to depend on. Tribes are compelled to compete against one another for limited funds made available through the BIA and other funding sources. We do not know if our need is greater than theirs, we only know the needs of our people.

The instance that comes to mind is the Indian Child Welfare Program. Funds available for Region X only funded 36% of the applications in 1984, and 38% of the applications the following year. What about other 64% and 65%?

The Spokane Tribe is making the effort to generate revenue for the Tribe to provide the needed services. We are still optimistic and are proceeding with determination, but self-sufficiency is not an overnight task. In the meantime, we still require federal assistance.

We thank you for the opportunity to present this testimony to you. Should you require further information, please feel free to contact the Tribal Council or Ms. Lynne Walks-On-Top in the Planning Office.

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Respectfully submitted,

January 6, 1986

Lynne Walks-On-Top

Lynne Walks-On-Top, Planner

January 6, 1986

Vice-Chairman

Spokane Tribal Council

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APPENDIX

Population Statistics	A
Location Map	B
Unemployment statistics	C

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Appendix A

JOHN SPELLMAN
Governor

JOE TALLER
Director

STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT
Insurance Building, M.S. AQ-44 • Olympia, Washington 98504 • (206) 753-5450

October 23, 1984

Mr. Roger Herriot
Chief
Population Division
Bureau of the Census
Washington, D.C. 20233

Dear Mr. Herriot:

The Spokane Indian Tribe contracted for a state certified census of all persons residing on the Spokane Indian Reservation as of September 19, 1984. The count was conducted to allow the tabulation of total residents, total Indians according to the federal census definition, and total Indians according to the Office of Revenue Sharing definition.

A total of 1,494 residents was counted. Table I shows the population including 1,198 Indians, following the Bureau of Census definition.

TABLE I
POPULATION ON THE SPOKANE INDIAN RESERVATION
BUREAU OF THE CENSUS RACIAL DEFINITIONS
SEPTEMBER 19, 1984

TOTAL POPULATION	TRIBAL MEMBERS	OTHER INDIANS	SUBTOTAL INDIANS	NON-INDIANS
1,494	954	244	1,198	296

The Office of Revenue Sharing definition of Indian includes all family members in households of which the householder or spouse is Indian. Use of this definition increases the number of people categorized as Indian by 135, to 1,333 people. Table II sets forth the count following the ORS definition.

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Appendix A

TABLE II
POPULATION ON THE SPOKANE INDIAN RESERVATION
OFFICE OF REVENUE SHARING RACIAL DEFINITIONS
SEPTEMBER 19, 1984

TOTAL POPULATION	INDIANS BUREAU OF THE CENSUS DEFINITION	OTHER FAMILY MEMBERS IN INDIAN HOUSEHOLD	SUBTOTAL ALL INDIANS ORS DEFINITION	NON-INDIANS
1,494	1,198	135	1,333	161

I certify these counts to be correct. If you have any questions, or require more detailed tabulations please let me know.

Sincerely,

Theresa J. Lowe
Chief Demographer

TL:lw

cc: Mr. Richard Irwin
Ms. Edna Paisano
Mr. Keith Debus
Dr. Marilyn McCurtin

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OPINION RESEARCH LABORATORY, SEATTLE WA
TABULATIONS FOR SPECIAL CENSUS: SEPT. 19, 1984
SPOKANE INDIAN RESERVATION

Appendix A

TABLE 4

TABLE 4.

DISTRIBUTION OF POPULATION BY AGE, SPOKANE INDIAN RESERVATION

AGE GROUP	TOTAL PERSONS			MALES			FEMALES		
	TOTAL	HOUSE-HOLD HEADS	OTHER	TOTAL	HOUSE-HOLD HEADS	OTHER	TOTAL	HOUSE-HOLD HEADS	OTHER
Total persons.....	1494	452	1042	738	320	418	756	132	624
Under 1 year.....	37	-	37	24	-	24	13	-	13
1 year.....	25	-	25	13	-	13	12	-	12
2 years.....	44	-	44	21	-	21	23	-	23
3 years.....	37	-	37	14	-	14	23	-	23
4 years.....	35	-	35	19	-	19	16	-	16
5 years.....	41	-	41	18	-	18	23	-	23
6 years.....	23	-	23	10	-	10	13	-	13
7 years.....	27	-	27	11	-	11	16	-	16
8 years.....	25	-	25	10	-	10	15	-	15
9 years.....	31	-	31	18	-	18	13	-	13
10 years.....	32	-	32	14	-	14	18	-	18
11 years.....	28	-	28	12	-	12	16	-	16
12 years.....	30	-	30	19	-	19	11	-	11
13 years.....	37	-	37	22	-	22	15	-	15
14 years.....	35	-	35	20	-	20	15	-	15
15 years.....	38	-	38	24	-	24	14	-	14
16 years.....	38	-	38	17	-	17	21	-	21
17 years.....	34	-	34	15	-	15	19	-	19
18 years.....	28	2	26	12	1	11	16	1	15
19 years.....	25	-	25	10	-	10	15	-	15
20 years.....	18	2	16	10	1	9	8	1	7
21 years.....	26	7	19	13	5	8	13	2	11
22-24 years.....	87	28	59	44	20	24	43	8	35
25-29 years.....	130	64	66	63	46	17	67	18	49
30-34 years.....	90	48	42	49	37	12	41	11	30
35-39 years.....	93	55	38	46	43	3	47	12	35
40-44 years.....	98	55	43	47	40	7	51	15	36
45-49 years.....	51	33	18	31	28	3	20	5	15
50-54 years.....	60	32	28	29	27	2	31	5	26
55-59 years.....	44	28	16	19	16	3	25	12	13
60-64 years.....	43	27	16	19	18	1	24	9	15
65-69 years.....	32	21	11	18	16	2	14	5	9
70-74 years.....	22	18	4	9	9	-	13	9	4
75 and older.....	33	26	7	9	8	1	24	18	6
No Report	17	6	11	9	5	4	8	1	7
18 years and over...	969			469			500		
65 years and over...	87			36			51		
Median age.....	23.7			23.4			24.0		

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Appendix A

OPINION RESEARCH LABORATORY, SEATTLE WA
TABULATIONS FOR SPECIAL CENSUS: SEPT. 19, 1984
SPOKANE INDIAN RESERVATION

TABLE 5

TABLE 5.

DISTRIBUTION OF PERSONS AGE 16 OR OLDER, BY AGE GROUPS AND SPECIFIED EDUCATION CATEGORIES, SPOKANE INDIAN RESERVATION, SEPTEMBER 19, 1984

AGE GROUP^	PERSONS AGE 16 OR OLDER	GRADE SCHOOL	SOME HIGH SCHOOL	GRADUATE HIGH SCHOOL	SOME COLLEGE	GRADUATE COLLEGE	POST GRAD COLLEGE	NO RE-PORT
TOTAL**	952**	85	297	336**	162	38**	14	20
16-19 years..	125	2	82	24	11	-	-	6
20-24 years..	131	3	44	59	23	2	-	-
25-29 years..	130	-	27	66	28	7	-	2
30-34 years..	90	3	16	32	28	7	1	3
35-39 years..	93	2	12	48	22	7	2	-
40-44 years..	98	3	28	35	17	8	5	2
45-49 years..	51	5	14	19	8	3	1	1
50-54 years..	60	8	19	23	8	-	-	2
55-59 years..	44	7	23	4	5	1	3	1
60-64 years..	43	9	16	8	9	1	-	-
65-69 years..	32	9	9	9	3	1	1	-
70-74 years..	22	9	6	7	-	-	-	-
75 or older..	33	25	1	2	-	1	1	3

^See Table 4 for age data for total population.
**Two persons responding to education question are excluded from this table. Both were adults but did not report their age; one was reported as a high school graduate and the other a college graduate.

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OPINION RESEARCH LABORATORY, SEATTLE WA
TABULATIONS FOR SPECIAL CENSUS: SEPT. 19, 1984
SPOKANE INDIAN RESERVATION

TABLE 6.

DISTRIBUTION OF HEADS OF HOUSEHOLDS, BY AGE GROUPS AND SPECIFIED EDUCATION CATEGORIES, SPOKANE INDIAN RESERVATION, SEPTEMBER 19, 1984

AGE GROUP*	PERSONS AGE 16 OR OLDER	GRADE SCHOOL	SOME HIGH SCHOOL	GRADUATE HIGH SCHOOL	SOME COLLEGE	GRADUATE COLLEGE	POST GRAD COLLEGE	NO RE-PORT
TOTAL**	446**	59	103	151**	89	23	11	10
16-19 years..	2	-	2	-	-	-	-	-
20-24 years..	37	1	14	14	8	-	-	-
25-29 years..	64	-	15	28	16	4	-	1
30-34 years..	48	-	3	20	17	5	1	2
35-39 years..	55	2	7	24	17	4	1	-
40-44 years	55	2	13	17	12	5	4	2
45-49 years..	33	3	8	14	5	2	1	-
50-54 years..	32	4	7	14	6	-	-	1
55-59 years..	28	7	15	1	1	1	2	1
60-64 years..	27	5	9	7	5	1	-	-
65-69 years..	21	8	4	6	2	-	1	-
70-74 years..	18	8	6	4	-	-	-	-
75 or older..	26	19	-	2	-	1	1	3

*See Table 4 for age data for total population
**There was a total of 452 household heads. Six of these adult heads of households did not report their age and are excluded from this table; five of the six were also "No report" on education; one reported education as high school graduate.

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OPINION RESEARCH LABORATORY, SEATTLE WA
TABULATIONS FOR SPECIAL CENSUS: SEPT. 19, 1984
SPOKANE INDIAN RESERVATION

TABLE 7.

DISTRIBUTION OF PERSONS AGE 16 OR OLDER, BY RESPONSES TO THE FOLLOWING QUESTION: WAS THIS PERSON EMPLOYED FOR PAY LAST WEEK?

AGE GROUP*	PERSONS AGE 16 OR OLDER	WAS THIS PERSON EMPLOYED FOR PAY LAST WEEK?		
		YES	NO	NO REPORT
TOTAL.....	952	335	611	6
16-19 years.....	125	8	115	2
20-24 years.....	131	38	93	-
25-29 years.....	130	52	77	1
30-34 years.....	90	44	45	1
35-39 years.....	93	50	43	-
40-44 years.....	98	56	41	1
45-49 years.....	51	27	24	-
50-54 years.....	60	26	33	1
55-59 years.....	44	19	25	-
60-64 years.....	43	6	37	-
65-69 years.....	32	2	30	-
70-74 years.....	22	3	19	-
75 and older.....	33	4	29	-

*See Table 4 for age data for total population

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OPINION RESEARCH LABORATORY, SEATTLE WA
TABULATIONS FOR SPECIAL CENSUS: SEPT. 19, 1984
SPOKANE INDIAN RESERVATION

TABLE 8.

DISTRIBUTION OF HEADS OF HOUSEHOLDS, BY RESPONSES TO THE FOLLOWING QUESTION: WAS THIS PERSON EMPLOYED FOR PAY LAST WEEK?

AGE GROUP^	HEADS OF HOUSEHOLDS	WAS THIS PERSON EMPLOYED FOR PAY LAST WEEK? YES	NO	NO REPORT
TOTAL^^	446^^	201^^	241^^	4^^
16-19 years.....	2	1	1	-
20-24 years.....	37	11	26	-
25-29 years.....	64	31	32	1
30-34 years.....	48	32	15	1
35-39 years.....	55	32	23	-
40-44 years.....	55	32	22	1
45-49 years.....	33	22	11	-
50-54 years.....	32	15	16	1
55-59 years.....	28	13	15	-
60-64 years.....	27	5	22	-
65-69 years.....	21	1	20	-
70-74 years.....	18	3	15	* -
75 and older.....	26	3	23	-

^See Table 4 for age data for total population
^^There was a total of 452 household heads. Six of these adult heads of households did not report their age and are excluded from this table; four of these six responded "YES" to the employment question, one responded "NO" and one was a "No report" on this question.

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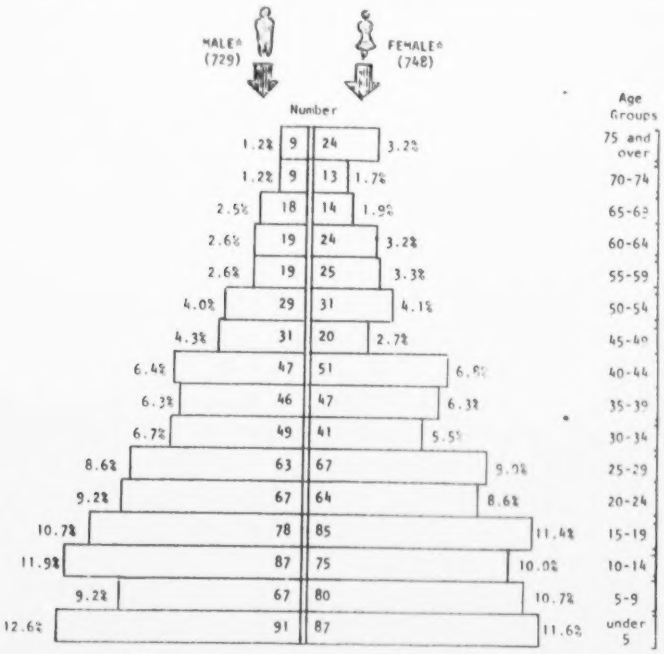
Appendix A

AGE GROUP AND SEX DISTRIBUTION OF THE PEOPLE IN THE SPOKANE INDIAN RESERVATION, WASHINGTON, SEPTEMBER, 1984

FIGURE 1



*Note: Percentages are based on the total number of people reporting (1,477 persons); age was not reported for 9 males and 8 females (see Table 4).

Median age: Total population, 23.7 Males, 23.4 Females, 24.0

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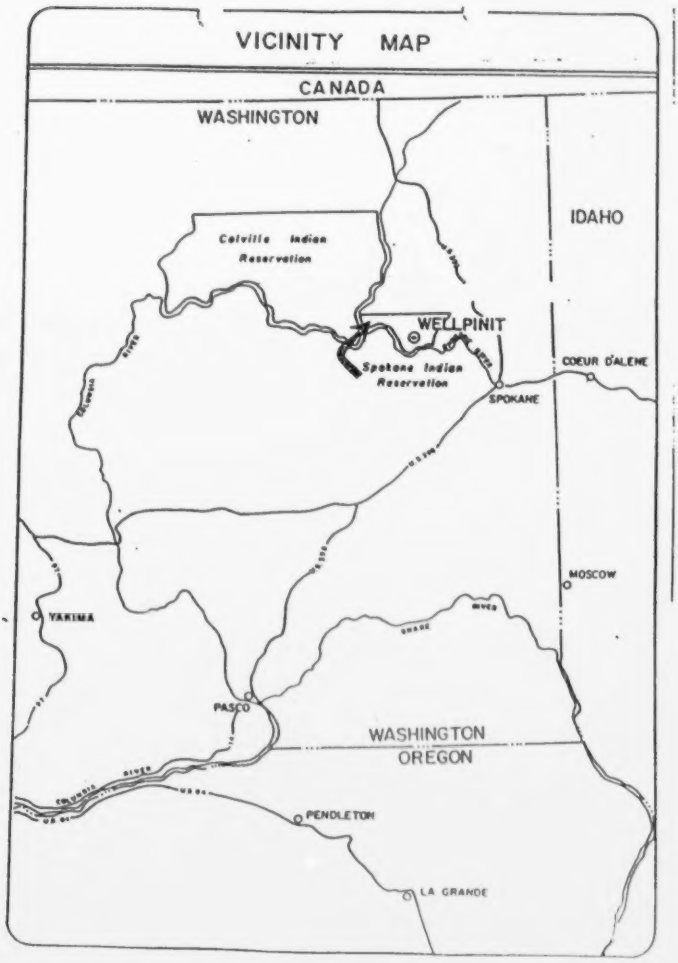
Appendix B



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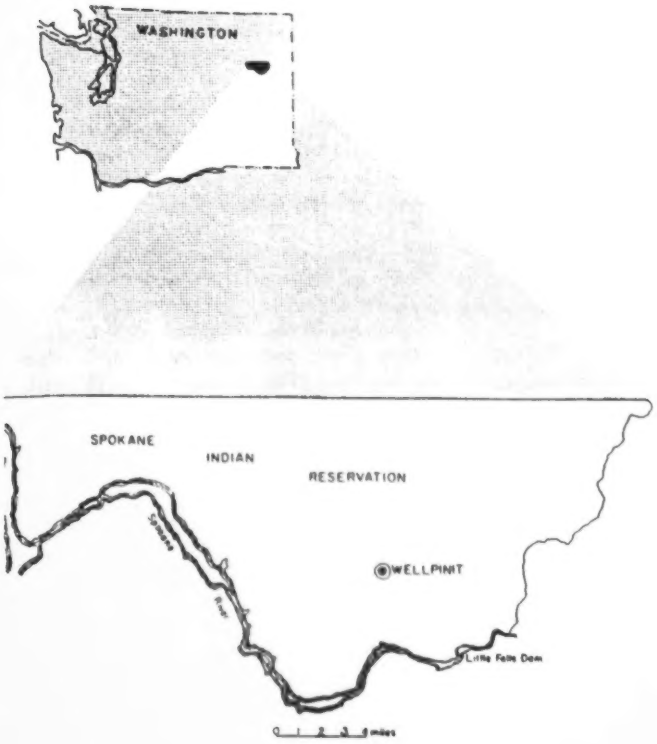

Regional Map

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APPENDIX C

UNEMPLOYMENT STATISTICS

SPOKANE INDIAN RESERVATION

January 2, 1986

A)	Total work force Indian & NON-Indian	1025
B)	Total Indian work force	952
C)	Total number of Indians working	221
D)	Total out-of-work, living on the Spokane Reservation	731
E)	Transit work force averages 10%	73
F)	Total out-of-work, including 10% transit	804

#1 Total percentage of Unemployed work force 84%

#2 Total percentage of Unemployed work force minus transit workers 77%

Present percertage of male/female

#3 Total sign-in out-of-work register 136

a) female	35	26%
b) male	101	74%

#4 Total number of Indian preference applicants not signing the out-of-work register: 595

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APPENDIX C

EMPLOYED WORKFORCE

January 2, 1986		Indians	NON-Indians	TOTAL
A) Spokane Tribe of Indians				
Tribal Government	(+ 7 JTPA)	65	2	67
Trading Post	(+ 1 JTPA	5	0	5
Home Improvement Program (HIP)		2	0	2
Post & Pole Plant	(+ 3 JTPA)	3	0	3
Urban Indian Center (UIC)		1	0	1
JTPA		15	0	15
Fire Station Grant		6	0	6
B) Bureau of Indian Affairs (BIA)		44	6	50
C) Indian Health Service (IHS)		14	10	24
D) U.S. Postal Service		1	1	2
E) Wellpinit School District #49		6	28	34
F) Indian Housing Authority		9	1	10
G) Private Sector Employers				
Western Nuclear, Inc.		5	4	9
Dawn Mining Co.		0	3	3
Hilmes Construction (Dawn Pond)		0	7	7
Galbraith General Store		4	1	5
Tribal Cafe		2	1	3
Broken Arrow		2	0	2
Kee-li-la		3	0	3
Kieffer Store		1	0	1
Kieffer Logging		2	0	2
McCoy's Marina		1	0	1
Crowshoe's Service (3 part-time)		5	1	6
Columbia Manufacturing, Inc.	(+ 4 JTPA)	5	11	16
Spokane Tribal Marketing Group (STMG)		2	2	4
Western Minority (Blaze Const.)		9	4	13
Tshimaikin Chief		2	0	2
Videots		2	0	2
Richmond Logging		5	9	14
		221	91	312

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Chairman MILLER. Thank you very much. And thank all of you for your testimony.

Eloise, you suggested that you would like to see a consolidation of some of the Federal programs and grants to Indian tribes; can you elaborate on that a little bit? Can you tell me exactly what grants you had in mind?

You also suggested that there is a problem with the process of properly counting tribe members for purposes of administering programs too. Could you just expand on that?

Ms. KING. All right. There was going to be some more documentation on this that I can submit as part of the written testimony.

Indian tribes have assumed the responsibility for programs and assistance to children within Indian reservations.

This tribal role is similar to the responsibility of the State of Washington to children outside of the reservation since the tribe's jurisdiction is exclusive of State responsibility and jurisdiction. Federal moneys that go to the State for these Indian children should more properly go directly to the tribes.

As an example, Indian tribes can receive funds through the State under title IV-E of United States Code, title 43, section 672(a). To eliminate any confusion this section should be amended to have IV-E payment to be made directly to the affected tribes.

Similarily title IX and title XX of title 42 should include direct Federal payments to tribes rather than requiring that these payments to tribes through State plans.

The Federal Government requires that State agencies invite tribal governments providing social services to participate in the budget building process and that technical assistance be provided by the State for the tribes in the budget building process.

The Federal Government encourages the State legislators to include a line item for Indian programs in the State budget.

The Federal Government participates in joint planning of budgets with the States and tribes; of comprehensive plans for Indian children, youth, and families.

We've been working on this concept for about a year now, primarily concerned with the Indian Child Welfare Act, because under the act itself, under the new child welfare title II funding which was miniscule, the intent of the act was to provide funding directly to the tribes initially. And that was based on the needs that were identified by the tribes for provisional services.

Now, I understand that there was another act that was in Congress within the last year and this was under title XX. It talks about block grants to Indian tribes.

But again the mechanism is not in there; it is H.R. 2720 for adequate funding.

The idea is to combine all these funds that are earmarked for Indians—for Indian child welfare, or for children, family, and youth.

Some of that funding goes directly to the States, and then we can contract for it. But the mechanism is not there; nor is the cooperation of the State government to do the contracting for an appropriate amount of funding.

We have our headcount being used for the actual allocations that are made to the States, but we do not receive the funds that go to the States, for example, through the title XX.

Chairman MILLER. So you are counted for the purposes of the States' eligibility?

Ms. KING. Right.

Chairman MILLER. For its apportionment of title XX funding?

Ms. KING. Yes.

Chairman MILLER. But the money is then not passed through to the tribes to the very population it was intended for?

Ms. KING. That is right.

Chairman MILLER. That is what was explained to me yesterday. Why is that?

Ms. KING. Why is the State not doing that?

Chairman MILLER. Yes.

Ms. KING. I do not know. [Laughter.]

Chairman MILLER. Let me ask you this. Is it a determination in Federal law that it shall not be passed through, or is that the prerogative of the State?

Ms. KING. I believe that it is the prerogative of the State. They make that determination on how they will appropriate their funds once it comes down to their level.

Chairman MILLER. They used to be able to something similar with SSI. We would increase SSI grants, and then the States would intercept them, and use them to augment their budgetary problems, whatever they were at the State; and, finally, Congress mandated a passthrough.

When we increase SSI, that has to be passed through to the recipients on that program. And what was suggested yesterday—and what you are suggesting now—is that, in the case of title XX funds, some of which, and I do not know whether it runs beyond title XX or not, but some of those funds obviously are essential and directed at the very programs that people have discussed to deal with some of the problems here this morning.

Ms. KING. Exactly.

Chairman MILLER. Well, we will have to take a look at that. I do not know whether there is a State option or not. Maybe somebody in the room can tell us before the day is over, but it seems somewhat ludicrous to let the State get a bonus from depriving the very population that the funds were directed to.

Ms. KING. Yes; we need that opportunity——

Chairman MILLER. It would not be the first time.

Ms. KING [continuing]. Because, as I stated, we do have the capability to administer those funds.

And that is just not in child welfare; that is in alcohol; that is in mental health; that is in all of those areas where the funds go through the State.

We would like to be able to contract directly; and, if it takes a congressional mandate, so be it.

Chairman MILLER. Well, we will take a look at that.

Most of you seem to be testifying that clearly the problems faced by some of the young people and increased instability in the family is employment based, that whether you can prove it with empirical evidence or not, it seems to be pretty clear that as employment has gone down for members of the tribes, these problems have gone up.

We know that to be true, in the general population. We can now almost track the onset of alcoholism or problem drinking, sub-

stance abuse, wife abuse, child abuse, general violence in the families related to unemployment figures. We have seen that in the last recession when we looked at sectors of industrial areas in this State, when plants were closed, and heavy, unexpected unemployment hit—all of those family problems appeared. We now see them in the farming community in the Midwest, what we considered to be the bedrock of American families, we see all of the same problems— suicides, violence, drinking, instability—in families.

One of the differences, I suspect is that in each of those cases the Congress responded, as you have suggested, Mr. Navarro, on the basis that we have a "disaster"—we have a "domestic disaster" on our hands, as we have in the farm community, trying to hold those families together, trying to allow them to handle some of their debt.

We had emergency job programs, emergency training programs for steelworkers and people in the industrial sector; we have responded in each and every one of those cases when the unemployment figures, again, as you point out, ran somewhere between 10 and 15, 20 percent in concentrated areas.

No such action has been taken with respect to the Indian nations, when they have lived constantly with unemployment figures that in the best of times as you point out, you know, are 30 percent, 25 percent, which far exceed some of the most depressed areas of this country.

But, assuming that you were in the best of times, when the timber industry was on its feet, and the mining was on its feet, you still have a serious unemployment problem. I still am curious as to where you would put the emphasis?

I mean, a lot of efforts have been made at economic development, and job training; and, as two of you pointed out, without a lot of results. And, I think that, when you talk about the Congress getting involved, even under those provisions that allow for Indian-initiated programs, there is substantial reluctance, just as there is in the Congress after CETA, there is substantial reluctance to get involved in any kind of training program because Congress could not see the results.

I wonder if you might just take a moment to tell us where you think the real emphasis should be put in terms of economic development.

Mr. NAVARRO. OK, well, first of all, I would like to go back, you know, the part of the statement you just made; and it would clear up for everybody in the room here, and anybody that might read this report.

The unemployment figures we gave you—they are not current. They have historically been that high.

Chairman MILLER. Oh, I see.

Mr. NAVARRO. Even as you said it—"in the best of times."

One of the problems with unemployment in the "best of times"—well, there are several. Discrimination is one; we know it exists. It is a fact of life. It is something that we are dealing with with the TERO Program.

Another thing is that there is lack of opportunity on and around reservations. You know, many reservations are isolated, so we have an environmental problem also.

Then we also have a psychological problem where we have a system that does not prepare people to deal with the change in environment. In other words, as Ms. Walks-on-Top has said, "We have a system that teaches or tells people they cannot do it; it is not time for them; they are not able." These kinds of things.

In other words, you are training a person to think that he is not able to compete, or to participate, and so on.

So, you have got a whole—it is really a complex, I guess, problem here. One of the things we say is that we must put all these things together; we need to improve the education. We need to have our educational system prepared to deal with the changing environment, the high technology that is going on, and so on.

We also need to work in the attitudinal—this must come from the tribe itself. You are dealing with change. We know when people do not have a future, they normally go back to the past. We know that the culture is important to all—culture and tradition is important to all people, but we also know that we must deal with the changing environment.

Chairman MILLER. Let me ask you this: Yesterday, out on the Yakima Reservation, we were discussing education, and I think that we were told that there were a little more than 300 young people from the reservation who are attending a 2-year college, or 4-year college, or graduate school, but with the clear understanding that there was not going to be reservation-based employment for those people.

And I just wonder if there is a recognition, to the extent there is a conflict between educational goals and the intent of maintaining a culture and a reservation-based community? And how do you work that out with young people?

Ms. OLSON. That is a really hard question, and the reservations are so diverse, both from their isolation and the way they are set up.

Our reservation is a little bit unique because after it was settled as a reservation, it was also open to the Homestead Act, so on our own reservation, we are outnumbered something like 10 to 1 by non-Indians; and, although we do not have a lot of Seattle-size cities, there are small towns, and there is business development there.

Our attitude has been to, first of all, consider the diverse population of our own young people. We have people that are here at the University of Washington, in engineering programs and business programs.

On the other hand, we have kids that would have a hard time with vocational-technical school. I think, first of all, you have to address the diverse abilities of the kids, the diverse interest of the kids, and, in our particular situation, one of the best possible answers is to look at private sector employment on an Indian reservation.

We recognized years ago that the tribe could not possibly be the employer for all tribal members. The next best solution, as far as I am concerned, is to look at the private sector, because we may have people who want to be beauticians, or we may have people who want to be foresters. We may have people that want to be en-

gineers—well, we have the Corps of Engineers on and near the reservation.

I think the only thing to do is look at private sector, and Federal employment that is already there and available.

As far as economic development goes, it has not been a real big success on Indian reservations on federally funded projects.

And, again, the reason for that is because the planning has not necessarily been done at the tribal level; it has been done at the Washington, DC level; and what we encourage on our reservation—and because of the TERO Program development in the last 3 or 4 years, is the development of private business by individual Indians.

That is something that has been nonexistent on our reservation until now because there has been no work ethic based on no jobs; and, so, now, as people begin to develop a work ethic and become acquainted with opportunities available as a small business, people are beginning to take an interest in development of small business.

Chairman MILLER. John, you had something to add?

Mr. NAVARRO. Yes; I wanted to add that, to give you a little more background on TERO, and to try to answer the question and put some, you know, some understanding from our part to you on the question, the TERO—when we first started—and we learned through trial and error that the idea is relatively new, just a little over 7 years, 8 years old—and when we started this idea, our first thought was to protect and capture the opportunities that existed on the reservation. That is all we started to do, when we started the TERO Program.

And then we learned very quickly that on most reservations there just are no opportunities, so the next step in our evolutionary process was just to go off the reservation.

Now, tribal laws—we know that tribes have no jurisdiction off the reservation, so we learned how to use the Federal laws that existed—once again, the Civil Rights Act, affirmative action, and we began to make immediate inroads; and we did get some token opportunities in cities around Nez Perce and Papago, and Tucson, and places like that. We did make some progress there.

But then we found out what you just said: A lot of people do not wish to leave the reservation. In fact, a lot of people do not like to leave their homes—period. The Midwest and the farming people are having the same kind of problems.

So, we are faced with what do we do now? Do we stop at this point?

We have control of the reservation. We can get some opportunities off the reservation, some token thing. What we did was we said obviously the next step is then to bring opportunity to the reservation. Now, it is easily said, not so easily done.

As Donna said, economic development has been going on on reservations for years and years and years; but there has been something missing. The thing that has been missing is the tribes and the Federal Government have not meshed; the development of the human resource to the job, to the economic development. I mean, I can take you across this country to reservations where you have white elephants—I mean, business as they were guild planned, and so on, or to reservations that have flourishing, you know, or growing businesses, but they are manned by non-Indian people.

So, that is the thing that was missing. We have got to put all these three things together. First of all, capture the opportunities or provide opportunities as they were supposed to be provided for Indian people on reservations—or local people, in this case.

Then, also, we must—Indians are Americans, and entitled to every—all the other rights that all Americans are entitled to—equal employment opportunity off the reservation.

And, third, we must do a better job in the economic development and the development of resources on the reservations. We must develop them for their intended purpose, which is to provide stimulus to the local economy.

So, those things are—and that is the approach that we are taking, the three steps of growth that we experience at TERO.

Now, we still have instances where people will not leave, and there is no opportunity, and I do not know how it is done so that is a pretty hard problem to deal with.

I think that on the Colville—I do not know how many college graduates that have been unemployed, but I know it is an extremely high number, something in a couple of hundred people, with college degrees that are not employed.

So, again, we are looking at the capture and control on the reservation—you know, move off the reservation using the Federal laws and then bring opportunity to the reservation, but a controlled developed there.

Chairman MILLER. Thank you.

Mike?

Mr. LOWRY. Thank you, Mr. Chairman.

I am trying to follow this through. I think the testimony has all been excellent.

Usually, we hear the highest, highest importance attached to having a job. We must address the unemployment problem more effectively. And then, there is Indian preference so that, with the TERO-type enforcement that is going on now, we can get the jobs for projects on the reservation. That obviously makes good sense—I think Congress would be very much in support of that. I think that makes sense.

But, second, I am going to try to ask one question, and maybe ask everybody to answer it. Are there projects in existence now, or planned for the future, on reservations that will provide employment opportunities?

For off-reservation jobs, are the educational and skill-development opportunities available to get off-reservation jobs?

And, if they are not, should that education, skill level be offered on the reservation, or should it be offered in the public school system off reservation?

Are there going to be projects?

Ms. OLSON. On our reservation, yes.

Mr. LOWRY. What kind of projects would those be?

Ms. OLSON. The big projects that are coming up on our reservation, I believe, over a 5-year period, are federally funded highway projects.

Mr. LOWRY. Going through the reservation?

Ms. OLSON. Right. Going right across the reservation in both directions.

Mr. LOWRY. And these would be interstates?

Ms. OLSON. Yes.

Mr. LOWRY. OK.

Ms. OLSON. Are they interstates? We have such little roads in Idaho, I don't know what you call them. [Laughter.]

Mr. LOWRY. Well—they are public roads.

All right, and, so, there are employment opportunities on those projects—but those projects will only last for so long.

Ms. OLSON. Yes.

Mr. LOWRY. There are only going to be so many highways built across the Nez Perce Reservation.

Ms. OLSON. That's right.

What we have tried to do in TERO was to be able to look 5 years down the road, mainly for purposes of training.

Mr. LOWRY. Right.

Ms. OLSON. So that if we have an employment assistance program, or JTPA funding, we can say, "You go to truck driver's school, whatever."

But, further than 5 years, I don't think even the people who plan those projects know what is going to be coming up. We have a small 31-house HUD project, residential construction that will be happening this summer.

And there are——

Mr. LOWRY. And that will be a housing project?

Ms. OLSON. It would be a housing project. In the spring, there will be a new elementary school constructed, on the reservation—public school constructed with impact aid moneys—Federal moneys for quite a large elementary school.

So, construction has been one of the areas that has been easy for TERO to impact, because you can go in and say, "Do it or you are going to pay a fine; do it or you are shut down."

There is a real quick reaction. Usually positive on the part of the contractor, so that has been also an area of real high interest. We do not make judgments about people, whether they do not want to work permanent or full time, or not. But a lot of our male members still like to fish, to hunt, to have time to do some of those cultural and traditional things that maybe would interfere with a permanent, full-time job. So, we have had, I would say our greatest success in the area of construction. We have done job placements off reservation in Lewiston, ID. It is located 13 miles from our town of Lapwai, and we have done permanent full-time placements in a bank, in a couple of the department stores that traditionally did not hire Indians, and most recently we began to work with the local newspaper, who has never had a minority.

Mr. LOWRY. Now, where were those individuals educated? The ones who have now been placed in employment situations?

Ms. OLSON. Almost all of our tribal membership is located in the public school system. A good many of them go on to higher education, either a vo-tech or university system.

Mr. LOWRY. Is that assimilation a problem to American Indian heritage? You know the question of the assimilation and the heritage and the tradition?

Ms. OLSON. Maybe I should defer to Mr. Slickpoo. That is a hard question. You could probably get 90 different opinions about that.

Mr. LOWRY. Yes.

Mr. SLICKPOO. Like, as it was mentioned, earlier, that our reservation is not consolidated, like many of the other reservations; and because of the Homestead Act that we were affected by, we had a total of 750,000 acres that was a reservation at one time, a solid reservation. And because of the Dawes Act, this was soon depleted in acreages. We only maintained 10 percent of that total, probably 100,000 acres of our individual allotments plus tribal land.

Consequently, it brought in a lot of homesteaders that took select property and it more or less integrated our reservation with Indian, non-Indian; and the educational system is pretty well integrated now.

As you mentioned, you know, the question about the problem of maintaining our culture. I have always strongly felt that if it had not been for our culture, we would have probably fell apart a long time ago. So, I do feel that the culture is our native language, et cetera, is an important part of our lifestyle, as well as trying to compete with the non-Indian world.

Because of the limited economic opportunities and because of their areas that have not been fully developed yet on the reservation, and because of the fact that select lands were taken by non-Indians and not necessarily by the Indians, as has been proven in other parts of the United States, where scrap land, desert land, sagebrush land was given to the Indians as a reservation, while the prime lands were given to the non-Indians.

Eventually, these lands became valuable to these tribes, although they have not been fully developed yet. They found oil; they found gold; they found other mineral resources.

Where, in our case, we are not as fortunate, just like many other Indian reservations; we do not have the same opportunities as some of these other Indian tribes do. Consequently, we do not have the resources, you might say, to offer adequate employment from the tribal point of view so we have to depend on the private sector, which, again, as I mentioned, is competitive.

Because of the drastic cuts that the Federal Government has made, a lot of the Indian tribes, including my tribe, as well as the people in our area, have felt the impact. There is less Federal construction work being offered now, which offered employment opportunities, such as on highways, construction of dams, and what not.

Those things are maybe past history now. Consequently, the unemployment rate, the families that have to meet the payments of their homes through the HUD programs, have to upkeep the payments of those homes. They have to upkeep the rate of high, high rate of electricity, but still going up. They have to, of course, provide for their subsistence, as well, for the families.

So, we have been getting an increasing number of requests for welfare cases through our tribal resource, tribal funds, which again the tribal revenue is just not that great to offset the needs of these people.

So, consequently, what do they do? They have to depend on the State, and the State, again, is cutting down on their budget, especially in the field of education.

And it is just becoming a big political football, and at the expense of the electors, the voters; and I really—I do not know, it is kind of hurting.

Mr. LOWRY. Well, I think you have answered that difficult question very well.

Mr. SLICKPOO. And, as mentioned, you know, when our young people have to sit idle, they have got nothing else to resort to but to drug and alcohol; and we do not want to see that.

Mr. LOWRY. I promised the chairman that I will not go into editorials on this. One of the effects of Gramm-Rudman is that it significantly cuts every one of those projects. They are among the 35 percent of the programs that are on the chopping block—from housing to transportation to water quality.

Chairman MILLER. Employment training, education.

Mr. LOWRY. Employment training is also among the 35 percent of the programs that when it is all said and done carry the big brunt of Gramm-Rudman. We need to get a good look at what is happening in this country.

Chairman MILLER. But that does not mean that there are not other things we will be doing.

Yes, sir, John?

Mr. NAVARRO. OK, I would like to comment on your question. No. 1, you asked about education. It really does not make any difference where the source is—if it is public, or either Federal education——

Mr. LOWRY. Right.

Mr. NAVARRO [continuing]. The system has failed.

It is not, you know, producing individuals that are prepared to meet the demands of the changing environment. It is as simple as that.

One of the reasons it is failing is that even if you do have a good system, if we are at the back end, you have no employment opportunity. In other words, the kids cannot realize their expectations; they are doomed to fail—why bother going to school?

I have been involved in manpower for over 20 years, and I have met, you know, Indian kids and Indian adults that have gone through 3, 4, 5, 6, 7, 8, 9, 10, you know, training programs where at the back end, there was never a job.

Mr. LOWRY. Right.

Mr. NAVARRO. In fact, the only way they could feed their family was with the stipend that they received from the training.

Mr. LOWRY. Right.

Mr. NAVARRO. So, we have—you know the system—we have a problem with that.

As far as, is there opportunity on reservations? There are a lot of federally funded projects; we talked about that; and you know, then there is a lot of activity going on right now.

Please keep in mind that even though the activity is going on without the TERO, without enforcement of tribal and Federal laws, tribes have not received or had access to the opportunity, and we have had resistance from the Federal agencies.

The Federal Highway Administration—we have had a lot of resistance from the States; we had resistance from HUD, from all these people that are doing work on reservations, they are sup-

posed to provide, you know, full compliance of the specs and the law—Indian pref is one of the specs; also the law.

So, we have got some activity, but we are not receiving the entitlements of two jobs.

And the next thing is, there is a lot of job opportunities around reservations. You know, some reservations are right in the middle of Main Street—on the Salt River, for example, in Arizona, it is right in Scottsdale, AZ.

I mean, that Scottsdale/Phoenix is booming, and the tribe is 60-70 percent unemployed. So, once again the system is not providing an access. The educational system, the discriminatory problems, and so on.

So, when we are trying to do at TERO, is we feel that—and we feel the education systems should be putting out people, providing them—you know, preparing them with a choice—preparing them to compete, and that gives them the choice to stay on the reservation, or leave the reservation, if they wish.

That is the key, choice.

Mr. LOWRY. Yes; and I think what you have been saying on this makes a lot of sense.

Let's look at Scottsdale; in other words, where it's booming, and yet still there is 70 percent unemployment—in that case, are the Indians who are looking for work adequately trained to take the job if all the other things were being applied correctly, if the laws were being applied correctly?

Mr. NAVARRO. At this point, they are not adequately trained, and one of the reasons is, they said, "Why bother training, preparing yourself if Americans were to keep you out—mainstream America is going to, you know, keep you out."

So, once again, it is a combination of a lot of things that is causing this nonpreparedness.

Mr. LOWRY. Does the tax credit or the Jobs Training Partnership Act working out?

Mr. NAVARRO. Yes; we would probably be employed—that is working; that is a good incentive to the employer. Again, once again, we are just barely now learning how to use that thing.

Mr. LOWRY. Right.

Mr. NAVARRO. But it does work.

Mr. LOWRY. But a program where you have got the job, and you have got the training—they kind of all go together, training and educational. Are these going together?

Mr. NAVARRO. Yes.

Mr. LOWRY. Is that right?

Mr. NAVARRO. Yes; it is.

Mr. LOWRY. Thank you.

Chairman MILLER. Does anybody else care to comment on that question by Congressman Lowry?

Ms. KING. Well, mine ties in somewhat.

There are, in fact, a lot of things going on on the Colville Reservation that are positive. We are trying to do a lot of things with our resources that we have, our natural resources. We have, primarily, timber resources, but there are other resources that we are looking at, and we are all working on developing.

For example, we have a CTEC Board, which is a board made up of individuals that are experts in the areas of economic enterprises and development.

We have just started a small mill on the reservation, which is completely contrary to what is going on in the timber industry; but it is to develop plain products.

We will not see any real direct benefit for a while, but nonetheless, it is an enterprise that we have to go up to, and is in operation.

We are looking at other develpments right now, and that is within the tourism industry. There is a lot of excellent opportunity within our area for tourism development. There is going to be a huge resort developed in the Cascade Mountains, a ski resort. What we are looking at is other tourism opportunities on the reservation directly related to Lake Roosevelt above Grand Coulee Dam, and south of the food and fruit industry.

This is an option that we have not fully been able to develop because of funding.

So, we have to look at the private sector as well as the Federal Government for funding to develop these opportunities. What we decide on without a lot of strings attached.

I would like to say that there have been task forces set up by the President to look at these economic opportunities on the reservations, and a lot of recommendations came out of these task forces, but nothing has been implemented.

I would say that, again, we should look at some of these things that have been developed, some of these positions that have been developed by the Indian people themselves, and marry the two.

We have some people that are at the top of the line in banking, in industrial development, in mining, in oil—I would like to have some consultations with those people, look at what our resources are on our little reservations throughout the United States, and give us some consultation and advice on how to get these things going.

This could be funded by the Federal Government, as well as foundations.

So, there are opportunities at home, and I would like to stay there.

Ms. WALKS-ON-TOP. In the spring, this coming spring, we will break ground on a multimillion dollar school on the reservation. We feel fairly comfortable that we do have people skilled enough to take care of those jobs, and we do have a TERO on the reservation which is very effective.

In fact, they are self-supporting, at least the program is self-supporting to the taxes that he imposes on the contractors on the reservation.

We have a HUD housing construction going on right now, and the only thing that we foresee the need for training in the future is in woodworking. We have a lot of partially trained carpenters who are interested in working at Columbia Manufacturing, which produces oak and hardwood cabinets. That is the area which we have prepared an application for funding for a vocational educational program for 2 years to train 90 people in this field.

When Columbia Manufacturing is offered a capacity, hopefully in the very near future, we will have 92 people employed there. We would like them to all be tribal members, if possible.

Chairman MILLER. Thank you very much for your testimony, all the members of the panel; and I appreciate your taking your time and the effort to come and share some of your thoughts and your suggestions with us.

Thank you, very, very much.

The next panel that the committee will hear from is made up of the Honorable Jeannette Whitford, who is the chief judge of the Coeur D'Alene Tribe in Idaho; Marie Star, accompanied by Diane Star—Marie is the director of the Muckleshoot Youth Home in Auburn, WA; and Diane is the houseparent with the youth home; Cheryl Henderson Peters, who is a project coordinator from the Skokomish Sexual Abuse Prevention and Treatment Project for the Skokomish Tribe in Washington; and Lucy Shaffer-Peterson, who is the vice chairman of the Skokomish Tribe in Washington.

Welcome to the committee.

Any prepared statements that you have will be put into the record in their entirety; please proceed in the manner in which you are most comfortable, and we take you in the order in which we called your name.

STATEMENT OF HON. JEANNETTE E. WHITFORD, CHIEF JUDGE, COEUR D'ALENE TRIBE, IDAHO

Judge WHITFORD. I am Jeannette Whitford from the Coeur D'Alene Tribe, and I have been listening to the previous panel. All I want to say is amen to everything they have said, because we have tried all sorts of things.

My approach is going to be a little different, and I hope a little more positive approach to some of the things that are happening on the reservation.

The Coeur D'Alene Reservation is very small compared to the Colville and the Nez Perce, and you have heard from those people.

The area of our reservation is just over 68,000 acres. We have a membership of just over 1,100 Indians; about two-thirds of these people live off of the reservation, and about a third of them live on the reservation.

The pool of people that we work with is around 600. We are a non-IRA tribe; we have a tribal constitution that was approved August 8, 1947.

One of the things that I am going to share with you is right out of one of our agreements, and this is an excerpt from tribal agreement, dated Idaho Territory, March 26, 1887.

And this hearing was conducted by Commissioners John B. Wright, Gerard W. Daniels, and Henry W. Andros; agent Benjamin F. Moore; interpreter Robert Flett; witness A.C. King; signed by Chief Andrew Saltice and 88 other men of the tribe of Coeur D'Alene in Spokane.

The reason I am sharing this with you is to sort of give you an inside of how the tribe felt about the families on our reservation; and this is article 12 out of this particular document, and I will quote:

In order to protect the morals and property of the Indians, parties hereto, no female of the Coeur D'Alene Tribe shall be allowed to marry any white man unless, before said marriage is solemnized, said white man shall give such evidence of his character or morality and industry as shall satisfy the agent in charge, the minister in charge, and the chief of the tribe, that he is a fit person to reside among the Coeur D'Alene.

And it is further agreed that Stephen E. Liberty, Joseph Peavey, Patrick Nixon, and Julien Boutellier, white men who have married Indian women, and with their families reside on the Coeur D'Alene Reservation are permitted to remain thereon, they being subject, however, to all laws, rules, and regulations of the Commissioners of Indian Affairs applicable to Indian people.

And if we had abided by this particular law, we probably would not be having the problems that we are now. [Laughter.]

Chairman MILLER. That is a tough test.

Judge WHITFORD. One of the things that I would like to sort of dwell a little bit on. We have heard a lot about the cultural background, and some of the effects that this has had on the families; and one of the things that the Coeur D'Alene people did was that they embraced Catholicism from a very early stage, and in this same Commissioner report there is a reference to the Coeur D'Alene Tribe as being a very progressive tribe.

We had schools, and the men cut their hair short; they built homes, multistory homes; they farmed. Their younger people were dressed very modish, and it was about the Gibson girl era—they had ribbons in their hair and the small waistline, the whole thing.

But through the years, the things that had the most impact on the tribe were things like the Allotment Act, where we had people that were farming up to 2,000 acres, and all of a sudden with the Allotment Act, these landholdings were cut down 160 acres, and a lot of these people experienced a setback financially.

So, the other influence that has to do with the land—we are primarily an agricultural-based economy on the reservation; we do have timber, and we have other things, but it is basically agriculture; and this is embraced by the tribe—that is why they prospered. That is when the allotments, the original allotments went into heirship, and they were divided up. Then the people stopped working, and what they did was sit and wait. They became dependent on the U.S. Government for services such as; they had their crops sold for them, and then they got a monthly dole to live on.

So, people sort of stopped working.

In my generation, I think the greatest influence was World War II, when our young men went away to war, and they were exposed to all kinds of lifestyles and other ways of—and other cultures, and they came home and they found a lot of things that were missing, or they were not satisfied with things that were happening at home.

I think one of the greatest disasters for the Indians was the era, the Eisenhower era, the new era for American Indians, and I think his idea was to mainstream us, and people have been doing this.

In wave after wave, they have tried to mainstream us, and we are still here.

I myself am a third generation person. It was my grandparents that were placed on the reservation, and I am also first generation back off of the reservation.

Now, I am back working for the tribe.

That uniqueness is I was raised in the culture, with the language being the primary language in the home, the English language being a second language, and French being a third language. I only remember two or three words now of the French; and I thought this was the way everyone lived.

On the Coeur D'Alene Reservation, one of the innovative programs that we had—and this took very careful planning—was a shelter program under the Indian Child Welfare Act.

Our tribe embraced the Indian Child Welfare Act from its inception, so we had an agreement in place at a very early stage.

Our first and second grant applications were funded, and this was to establish foster care homes on the reservation. Our third grant program was not funded, because we were still trying to establish foster care homes.

However, when it came to the fourth year grant period, based on my experience and having a real good staff to work with, we developed a shelter program primarily based on the experience we have in the YWCA or battered women and children shelters across the country—and I am sure you are familiar with these things.

So, we based the concept on this premise, but tailored it to our needs. We are a small tribe, so our shelter would—maximum was to have six children. We had houseparents and alternate houseparents, a part-time professional person that was trained to work with children and youth, which was a very valuable program for us because it gave us access to families.

We felt that if we had to remove a child and shelter them there were other problems in the family that needed to be addressed. So, as a court system, this gave us leverage to deal with those families; and what we did, as we would mobilize all the resources available to us, from the tribe and from the State—and when I say the tribe, we could staff a family with multiproblems; we could send someone to substantive use, which would be mandatory under a court order.

We could tap into other resources, such as education, job development, job training, whatever we needed to try to keep that family together.

Unfortunately, in the second year of our operation it was very successful. It was a model for other tribes, because our budget was $50,000, and we maximized it. It was a very small amount. And out of that $50,000, we had to pay $3,000 to the tribe as indirect cost, or a maximum budget of $47,000; and yet we had a model program.

This took very careful planning, very careful budgeting, but it was a successful program.

Halfway through our second year, there was a change in the staff, and we had a very unusual turnover in staff, I might say; and a political appointee was placed in the position as the director of the program; and this person could not carry the responsibilities of the program, and we have lost our grant for 1985–86.

We have mobilized again, and we have, now have three licensed homes through the State, and we have two volunteer homes. We work very closely with the State health and welfare people, but in northern Idaho, they are very limited in money and facilities and personnel.

There are a lot of innovating things that we do, as a tribe—for instance, ourpolice force are all cross commissioned, and, to give

you a for instance, I was having lunch with three police officers from three different jurisdictions, tribal states and county; and when a call came in, they all got up and left, so I was sitting by myself.

But we have to do this in our community because of the geographic area, geographic spread. If we do not cooperate with State people, they cannot give the service that they need to give to their people; nor can we give the service that we need to give to our people.

So, this cross deputization gives us their coverage.

But we also do this with the food bank. Our food bank, our food services, Commodity Foods, is for the total community, both Indian and non-Indian; and that—another plan that we have in the hopper is a community health program, to serve the total community, not just the Indian community, but also the non-Indian community.

We have found with this kind of cooperation that we can stretch our dollars and get more mileage from it, and better service. It is also good public relations.

The only recommendation that I would have is to scrutinize the criteria that is now being used in the Indian Child Welfare Act grants to tribes. I really take issue with the idea that we have to compete for these small pots of money. I believe that, if the tribe has a successful program and that they are maximizing their efforts and the money that they do get, that these are the tribes that should be funded.

As a tribe, and as a small tribe, we cannot play the numbers game. It is really difficult for us to play the numbers game, based on population. It has to be program; it has to be impact; it has to be another kind of criteria.

I think that this act provides a vehicle, an existent vehicle so that you gentlemen, as Congressmen, and the Senators and the lawmakers do not have to introduce a new legislation but to see there are more funds put into the pot under any Child Welfare Act, because this way, we can take care of our children, our youth, and families, with some coordination, some careful planning.

But we cannot do it on the limited dollars that we are getting now; or if we are threatened from year to year that we are going to be funded, or not funded, depending on how we dot our I's or where we place our commas in our grant applications.

Chairman MILLER. Thank you.

Marie, Diane.

[Prepared statement of Jeannette E. Whitford:]

Prepared Statement of Hon. Jeannette E. Whitford, Coeur D'Alene Tribal Court

TRIBAL OFFICE

Coeur d'Alene Tribe
Tribal Headquarters
Plummer, Idaho 83851

RESERVATION ACREAGE

Tribal	21,266.44
Alloted	47,374.48
Federal	.00
	68,640.92

TRIBAL ORGANIZATION

Coeur d'Alene Tribal Council
Authorization: Non-IRA
Tribal Constitution
Approved, August 8, 1947

JUDICIAL ORGANIZATION

Coeur d' Alene Tribal Court
Authorization: Tribal Constitution
Article VII, Section 1 (d)
4/5 Time, Chief Judge
On call; Associate Judge
Alternate Judge
Full Time; Court Administrator
Court Clerk
Contract Part Time; Prosecutor
Public Defender

POLICE DEPARTMENT

Bureau of Indian Affairs 2
Tribal 1
Juvenile Probation/Diversion 1

CASE LOAD 1983

Criminal	73
Traffic	36
Civil	53
Juvenile	70
Probate	0
Appeals	0
Marriages	0
TOTAL	233

CASE LOAD 1984

Criminal	177
Traffic	51
Civil	62
Juvenile	87
Probate	1
Appeals	1
Marriages	0
TOTAL	379

CASE LOAD 1985

Criminal	179
Traffic	57
Civil	117
Juvenile	70 (17 less '84)
Probate	3
Appeals	0
Marriages	0
TOTAL	426
Pending '84	22

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Exerpt from Tribal Agreement dated, Idaho Territory, March 26, 1887.
Hearings conducted by Commissioners, John V. Wright, Jarred W.
Daniels and Henry W. Andrews.
Agent, Benjamin S. Moore
Interpreter, Robert Flett
Witness, A. C. King
Signed by Chief Andrew Saltice and 88 other men of the Tribe,
Coeur d'Alene and Spokane.

ARTICLE 12

"In order to protect the morals and property of the Indians, parties hereto, no female of the Coeur d'Alene Tribe shall be allowed to marry any white man unless, before said marriage is solemnized, said white man shall give such evidence of his character for morality and industry as shall satisfy the agent in charge, the minister in charge, and the chief of the tribe that he is a fit person to reside among the Indians, and it is farther agreed that Stephen E. Liberty, Joseph Peavey, Patrick Nixon and Julien Boutellier, white men who have married Indian women and with their families reside on the Coeur d'Alene Reservation, are permitted to remain thereon, they being subject; however, to all laws, rules and regulations of the Commissioner of Indian Affairs applicable to Indian reservations."

In the report submitted to President Harrison, the Commissioners stated that the Coeur d'Alene insisted that this concern stated in Article 12 be included in this agreement.

Article 12 of the Coeur d'Alene Agreement encompases the care and feelings of the tribe toward their women, their land and the morality of the people residing on the reservation.

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A story known to all the tribal members was the dream of the old chief, Circling Raven, fortelling the coming of the Black Robes made the Coeur d'Alenes receptive to Catholicism.

The catharisis with Catholicism and the cultural spiritual belief were not that divergent. The tribe believed in the supernatural power of all things, animate and inanimate. That how you treated people and things determined your afterlife.

The Coeur d'Alene at the time of the signing of their agreements with the United States Government were considered very progressive by the standards of living in the 1880's. They had schools, they farmed, they built multi-storied homes, the men cut their hair, the younger men and women, products of the Catholic schools dressed very modish.

They adopted the norms of an agriculture society - then there was the allotment act, which partioned the larger farms to 160 acre allotments and retarded the financial standards of some of the members.

When the original allotment holders began to die and the land allotments became divided into fractionated heirship holdings, this again created changes in the family structures and income. People stoped doing their own farming.

The result was dependency on the Government's services through the Bureau of Indian Affairs. The adverse effect of dependency destroys initiative, and the waiting; waiting to receive an allowance from the Bureau. Crop income doled out/portioned in monthly amounts.

In my generation, World War II had a great influence on the people, the young men enlisting in the military. Returning home after exposure to other kinds of experiences and life styles.

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This true of the people that left the reservation to work in the national defense industry.

Eisenhower's "New Era for Indians" was a disaster for the Indians and the United States Government - see the results of the termination of trusteeship for the Klamath and Menominee Reservations. Relocation of tribal members to urban areas was not exactly a success for the expenditures involved.

In that period of uncertainty, we experienced a gradual break down of family structures, an increase in single teen pregnancy, single mother, head of households with multiple children, now three and four generations.

For a brief time with the spirit of the "New Frontiers" and the availability of funds for education, and other programs. The tribe experienced a sense of well being. There was a feeling that anyone who wanted to work could have a job on the reservation. We all know that Camelot did not last.

Now the Catholic Church and Catholic mores have been eroded, we are seeing young people from families that embraced Catholicism from the 1800's breaking away from the Catholic Church. To some extent the emphasis just on Catholicism has been replaced by other kinds of spiritual thinking.

The Coeur d'Alene Tribe has had their State Agreement with the Idaho State Department of Health and Welfare in place since 1980. The Governing Body, Tribal Council adopted a resolution incorporating Public Law 95-608, the Indian Child Welfare Act into the Tribal Code. This gave the Tribal Court the authority to implement the tenents of the Act in its work.

One of the results has been the establishment of a Juvenile Justice System, that is now about four years old.

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The Tribal Court's experience with grant applications under P. L. 95-608 has been; the first two spplications were funded to recruit foster care homes on the reservation, the third grant application was rejected. The tribe had not been able to recruit foster care homes. The fourth grant application wasfunded.

The fourth grant application was very innovative - this was based on my experiences in the Young Women's Christian Association, as a local Board Member and as a National Board Member. The YWCA of the USA has a chain of emergency shelters across thecountry for Battered women and children. We used thisexperience to tailor a program to care for the children of the tribe in a crisis situation.

The result was a model crisis Shelter program, using an existing facility. A Government/Tribal House that had been used as a day care center. The staff consisted of Houseparents and alternate house parent, part time. A part time counselor, with professional creditials to work with children and youth.

The grant was minimal $50,000.00, a year, actual $47,000.00, with $3,000.00 retained by the Tribal Council as indirect cost.

The shelter capacity was six children maximum, it was filled to capacity most of the time from the day the doors were open. The shelter was designed to give short term care, however some of the children could not be returned without adjustments in the family unit.

With the child or children in the shelter and the inhouse counselor, it gave the Tribal Court the leverage to address the problems of the family. If there was a reason to shelter a child there were other problems in the family.

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We mobilized all the resources available from tribal programs, such as substance abuse, Indian health services for physical and mental health, the Education Department, employment assistance, and the Idaho State Health and Welfare resources. This at times required staffing multi-problem children and families to expedite services and prevent duplication of services. This way of work maximized all the services available, and kept the costs contained within the $50,000.00 grant.

Unfortunately in our second year of operating the shelter program, there was a change in personnel. The Program Director left under unusual circumstances. The new director was a political appointee and was not able to carry the responsibility and the tribe's grant application for fiscal year 1985-86 was not funded and the shelter was closed.

We have again mobilized to try to maintain our services to the children and youth of the tribe. We now have three foster care homes, licensed by the State of Idaho and two volunteer homes. However, this is not adquate, when we need to shelter a child its a scramble to find a place within this structure. The crisis shelter service is a critical need.

The funds provided by Public Law 95-608, Indian Child Welfare Act, had a great impact on the services provided by the Coeur d'Alene Tribe through the tribal court to the people within in the jurisdiction of the tribe.

We sincerely urge this Select Committee on Children, Youth and Families of the United States House of Representatives, to recommend an increase in funding under P.L. 95-608. This Act has approprations included in the Act. It can be a vehicle to

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provide needed services to Indiah children, youth and families.

The criteria for funding under P.L. 95-608 has to be scrutinized. Tribes should not have to compete for limited funds available. Programs with high impact and service should be funded -- perhaps some means of basic standards on management could be implemented.

Additional factors affecting our reservation and families are the people, Tribal members and non-tribal Indians moving unto the reservation, attracted by low cost rental housing and ownership homes. People are out of jobs in urban areas and come to the reservation to further add to the existing high unemployment, estimated at 80%.

The Coeur d'Alene Reservation is located in Northern Idaho. This part of the state is a depressed area. With the closing of the mines, the timber industry and slow-low market value of grain crops.

One of the bright spots on the Reservation is the Tribal School, the school is partially subsidized from the Tribal Cigarette Tax.

The enrollment in the Tribal School is 68 pupils, first through eight-grades and 34 preschool and kindergarten children. Enrollment is open, however, there are only four non-Indian students in the school.

The Coeur d'Alene Indian language is taught in the class room and there is an attempt to give the children a regular cultural experience, drumming and singing traditional songs, tribal dress and dancing.

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The younger parents seem to be more interested in the quality of education available to their children. They realize that education holds the promise of better employment options for their children.

Respectfully submitted.

Jeannette E. Whitford
Chief Judge
Coeur d'Alene Tribe of Idaho

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STATEMENT OF MARIE STARR, DIRECTOR, MUCKLESHOOT YOUTH HOME, AUBURN, WA, ACCOMPANIED BY DIANE STARR, HOUSEPARENT, MUCKLESHOOT YOUTH HOME, AUBURN, WA

Ms. MARIE STARR. Good morning, Chairman Miller and Congressman Lowry.

My name is Marie Starr, and I am the director of the Muckleshoot Youth Home and the foster care programs. I am also on the tribal council and serve on committees at the tribal level dealing with social and health services as well as natural and human resources.

We are a small tribe in King County, and we have a service population of about 2,200. The tribe has a Head Start Program, and we have a clinic that provides some medical care to children and adults.

We have a senior citizen program that provides three hot meals a week for some of the seniors. We have a housing program that is a rental program, and we have found that we have a lot of problems in that area since we are usually in clustered areas and that is families in their own clustered areas, and now the families are put into one area, but there are 40 units there.

So, we are finding that we have a lot of problems with the families in dealing with children and drug and alcoholic abuse there.

And I have been asked to speak to you today about children and families that we work with, the programs and services available through the youth home, and where the children go when they leave the youth home.

When we opened our doors over 7 years ago, we were one of three Indian group homes in the State of Washington. Now, we are the only group, Indian group home in the State.

When we first opened our doors, our residents were children from the Muckleshoot community. Soon, we had teenagers from Seattle and Tacoma. After hassling with the State courts to establish guardianship and working with one of the fathers to our tribal and BIA Social Service Program, we had an interstate compact so that we could approve placement for children that were from the State of Oregon, and the Siletz Tribe, so the children were placed at Siletz with their grandfather.

And the children that we have at the group home come from the Yakima Tribe, Duwamish. We have had a young man from the Hopi Tribe; we have had Blackfeet, Spokane, Sauk-Suiattle, Arapaho.

And we have had several children from the Alaskan Natives, and a couple of children from the Squamish Band in British Columbia.

So, our children have had roots in seven States and one Canadian Province. We have had some of our children that were placed in care in Providence, RI, and in Wisconsin; and I have gone back and picked those children up and brought them back to Muckleshoot.

Many of the children that we have in our programs have been in the State system for a number of years. These kids have a real hard time trusting adults, and some of these children have come back to the group home.

Many of our older children have been in the system for much of their lives, moving from foster home to foster home until they give

up hope of ever being with a family. A quick scan of our records show that we have kids coming from all types of family backgrounds:

Living with parents, 13; children that live with one who is divorced or separated; living with one parent; having both parents deceased; parental rights have been terminated for eight of those children; living with one—we have four broken adoptions.

Those are the hardest children we have to deal with because they have a feeling—they are teenagers—and they have a feeling that no one really wants them, and it is a hard time to get those kids back to believing that there are people that really care for them.

We have three young men at the group home now that are from failed adoption, and we have a real hard time keeping them. They have problems in school; they have problems with the children, because they cannot deal with the problems that they have with themselves, in liking themselves and caring for themselves, and thinking that other people care for them.

Children of all ages are of all ages when they come to us. We have had infants that we have picked up from the hospital, and those infants we have had with us for probably 2 years before they were placed either with their family, their own family, or placed under guardianship.

We try to work with the parents of all of the children in the youth home. Some parents are not available because of distance, divorce or separation; and we encourage all long distance to call collect so that the ties are maintained; and we attempt to work with them via the telephone.

Parents are encouraged to visit as often as they are able, and children's visits to family homes if that is available for them. Nothing makes us happier than if those children go home.

Other services we provide in addition to 24-hour residential care or respite care or stay at the youth home for several hours, or maybe up to a week. This is usually needed when the parents are going through a crisis and cannot handle both the children and the crisis.

Temporary shelter to families in crisis, usually a one-parent family. That could be a couple of hours or maybe up to a week.

We have culturally relevant recreation including pow-wows, tournaments, as we are right in the hub of the activities at Muckleshoot. We are next to the community center, and there is a baseball field behind us, so during the summer months, there is baseball going on; in the winter months, there is basketball, plus they have pow-wows once a month there.

Networking—through our program, we have developed stable working relationships with social service programs providers from tribes—various States' educational, social service, and justice service workers. BIA Social Service provides services for us in several states.

Prevention—being right in the community often allows us to know about the family's problem early enough so that we can get to the family before there is an out-of-home placement, and to find relative placement for the child if that is needed.

Foster care—we discovered early in our operation that some children were ready for a family sooner than their families were ready for them, and they had no family available. We needed to be a foster placement agency, as well as providing group care.

We are currently a certified child-placing agency, and are supervising nine foster homes. Several homes have been licensed because the State did not see them being closely enough related to the child being placed.

Several others were licensed because the kids themselves went out into the community and developed a relationship with those families, so those homes—we licensed those homes for those children. That is one of the unique things about the program is that kids are able to go out into the community.

These are children that are not from Muckleshoot; they are from some other reservations, and they can go out into the community and develop a relationship—either through their own children, or just because they play basketball or baseball. So they are not kids that we can just take a place; these are kids that have developed a relationship with a family, and that family has wanted them, so that is a real unique part of our program.

And the Muckleshoot Tribe is a member of the Northwest Intertribal Court System. There is a total of 13 tribes that belong to that, so we are provided a judge and prosecutor.

The court services both myself and the caseworker at the youth home, can, and do act as presenting officers in the tribal youth court for cases involving child abuse and neglect.

We make recommendations to the court concerning case plan placement, return to parents. We also work with the parents to help them follow the case plan, and have the care of their children returned to them.

In several cases, jurisdiction of the Muckleshoot children were transferred to the tribal court from the State courts.

In several other cases, our tribal court petitioned other tribal courts for jurisdiction over their children who were in care at Muckleshoot.

In other cases, the tribes a some distance have asked the Muckleshoot to intervene on their behalf in the State courts and also have jurisdiction over their children transferred from the State to the Muckleshoot Tribal Court.

Several of the above services show our functions in the community-extended family for those who do not have family in the community. One of the things that we have found in our children that have been placed in long-term foster care have lost the extended family concept; so that is one of the functions of the Muckleshoot Youth Home is that we are a part of that extended family, to those families that have been part of the program.

Some mention should be made of our financial backing. As we are certified by the State of Washington, we are eligible for financial assistance for our children in both group and in foster care.

However, the State retains the right to fund placement of those children who meet their placement criteria. We have provided temporary shelter to many children who have met the State's criteria. We have also applied for and received annual grants through the Indian Child Welfare Act to help support those aspects of the

group home program not covered by the State reimbursement for placement.

While we have been fortunate to receive some Indian child welfare funding, we have had difficulties convincing the Bureau of Indian Affairs to award us the level of funding we need to operate the group home because of the increases over the years; and we have had the same amount from the Bureau of Indian Affairs for the last 3 years. And the State support is continually being reduced; the BIA has not increased our budget in 5 years, even though we have requested it and documented the need.

The children leave the group home to go to the following placements:

Children who have been in our care have gone to their parents, and that is numbers of 32. Relative placements have been 20; Muckleshoot foster homes have been 6; guardianships are 4; other foster care, 13; other systems [juvenile justice], 7; turned 18, 11; we have had 2 that are "on the run"; and we have 7 ongoing.

As stated by others, we have been struggling with the high dropout rate, and this year the tribe has a kindergarten program. We had hopes of having a tribal and controlled school. Because of funding, we were only able to get kindergarten program; we wanted from K through 3.

We had a 3-year planning grant to develop the school from the ground up, develop the curriculum so that it is culturally related to the children. We worked with Washington State School of Instruction so that we could get the Superintendent of Instruction so that we could make sure that our children would have the quality education that they needed, and, you know, we still have hopes of giving our children quality education.

We worked with the school district in our area for the past 10 years or more in a committee trying to figure out why we have such a high dropout rate; and the dropout rate goes up to as much as 75 percent.

And because of the dropout rate, we have had a high—in the past, we have had a high suicide rate, and the suicides have been all young—young men.

One of the things that, you know that I would like to ask is why we do not fund preventative type programs, why we wait until problems have risen to such a state that it seems impossible to take care of them.

Tribes are committed to strengthening families, with the hope that this will bring about the needed changes in families and help eliminate some of those problems.

For the Muckleshoot community, and for the children who need us, wherever they are, we provide a range of services from prevention to crisis intervention in our home placement with relatives and foster care or group care.

With support services such as court supervision, counseling and parent training, we are a small program struggling to meet the needs of the Indiana children and their families. We remain the only State-licensed Indian group care facility in Washington, and despite the constant struggle for adequate operation funding, we are committed to continue our unique services.

And so once again, I ask why we do not fund so that programs—we can prevent some of the causes that families break up before it happens.

Chairman MILLER. Thank you.

Diane?

Ms. MARIE STARR. I have with me Diane Starr. She is the Houseparent at Muckleshoot Youth Home.

Ms. DIANE STARR. Good morning, Chairman Miller and Congressman Mike Lowry.

My name is Diane Starr. I am the head houseparent for our group home. I have been there for 6 years. I have seen a lot of children in those past years come to us with a lot of problems not having parents, grandparents to turn to. So, we have become, the Houseparents have become their mother, dad, grandma, grandpa.

We function like a family where those kids are family. I am the one that runs the group home. I am the top houseparent that makes the kids do their chores. I am the one that is called in if they are having problems, but I—some of them don't like me but if they get in trouble, I am the one they call to come and help them out.

Chairman MILLER. You are doing fine. Would you be more comfortable if we took your written testimony, and let you simply respond to questions if we have questions later; would that be easier for you?

Ms. DIANE STARR. Yes.

Chairman MILLER. OK. Do not worry about it. We are easy here, relax.

[Prepared statements of Marie Starr and Diane Starr follow:]

PREPARED STATEMENT OF MARIE STARR, MUCKLESHOOT YOUTH HOME AND FOSTER CARE PROGRAMS, SEATTLE, WA

Good Morning members of the U.S. House of Representatives Select Committee on Children, Youth, and Families.

I am Marie Starr, Director of the Muckleshoot Youth Home and foster care programs. I am also on the Tribal Council and serve on committees for the Tribe dealing with social and health services as well as natural and human resources.

I have been asked to speak to you today about the children and families we work with, the programs and services available through the Youth Home, and where the children go when they leave us.

First, I need to say that the Youth Home was originally begun to meet the needs of the Muckleshoot Youth. We soon discovered that children in Tacoma and Seattle needed placement. Once we gained our certification as a group home by the State of Washington, our presence became known state-wide. When we first opened our doors, we were one of three Indian group homes. Now, we are the only one.

When we first opened our doors in March, 1979, our residents were children from the Muckleshoot Community. Soon we had teenagers from Seattle and Tacoma. We also had a Muckleshoot infant. By the fall, local Indian Child Welfare Committees were recommending our Youth Home for kids that were "hard to place" - a sibling group of four, the oldest 5, the youngest 3 months. Two of the children were enrolled Shoshone-Bannock, the other two were Siletz on their father's side; their mom was Chippewa-Cree from Rocky Boy. In the case of these four children, the Guardian Ad Litem from the Court had visited the Youth Home and agreed to the children's placement here.

We worked with the mom and the dad of the youngest two (who were together then). We tried to help them find suitable housing, employment and treatment for their problems with alcohol. We arranged visits with the kids. The parents tried but just couldn't get their lives in order enough to provide the stability the four kids needed.

We also worked with the kids, getting them into special classes at school, starting them in Head Start, potty training and learning to walk. They were "our kids". The community adopted them as well and would visit them and take them on outings.

Since it looked like the parents weren't going to be a resource, we started looking for other family. We contacted Rocky Boy. The Chippewa-Cree Tribe had lost contact with the family and had no resources. The Shoshone Bannock Tribe and the BIA Social Service workers evaluated the father of the two children and his family and felt they were not appropriate resources for the children. The Siletz Tribe was contacted and there were no

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resources from the second father, but the maternal grandfather was located, evaluated, found to be a good placement for the children and wanted them, too.

After hassling with the State Courts to establish guardianship, working with one of the fathers through Tribal & BIA Social Services to legally agree to guardianship, hassling the interstate compact system to get placement approved, and working with the State of Oregon and the Siletz Tribe to supervise placement, the kids were placed with grandpa. They were "our kids" for three years. It was hard to let them go, but our ultimate goal for all of our kids is to go home, wherever home may be.

Our children have come from the Yakima, Duwamish, Hopi, Muckleshoot, Blackfeet, Spokane, Sauk-Suiattle, Arapaho, Puyallup, Suquamish, Siletz, Chippewa-Creek, Tulalip, and Shoshone-Bannock Tribes. We have had several Alaska Natives and two children from the Squamish Band in British Columbia. The kids have roots in seven states and one Canadian province. The kids have been placed with us from as far away as Rhode Island and Wisconsin.

Many of the older kids have been in "the system" for much of their lives, moving from foster home to foster home, until they gave up home of ever being with a family. A quick scan of our records show that we have kids coming from all types of family backgrounds including:

Living with Both Parents 13
Living with one, divorce or separation 13
Living with one, other died 13
Both parents deceased 5
Parental rights terminated 8
Living with one, paternity not acknowledged 13
Repartnered custodial parent 20
Broken adoption 4

The children are of all ages when they come to us, from infants discharged to us from the hospital to 17 1/2 year olds who are almost ready to be on their own They come in singly, or in sibling groups from 2 to 5 kids. The Muckleshoot Youth Home is the only facility in the state available to take large sibling groups so they don't have to be separated while apart from their parent(s). It's hard enough to be apart from your parents without losing your brothers and sisters too.

We try to work with the parents of all the kids in our youth home. Some parents are not available through distance, divorce or separation. We encourage all long-distance parents to call collect so that ties are maintained and we attempt to work with them via the telephone. Parents are encouraged to visit as often as they are able and children's visits to parent's homes are started as soon as possible. Nothing makes us happier than to have kids go home.

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Other services we provide in addition to 24 hour residential care with 24 hour/day crisis line (our "poor" houseparents provide this after business hours and do a wonderful job with distraught parents looking for help) include:

Respite care - a stay at the Youth Home for several hours up to a week. This usually is needed when the parents are going through a crisis and can't handle both the kids and the crisis.

Temporary shelter to families in crisis (usually 1-parent families).

Culturally relevant recreation including pow-wows, tournaments (both as participants and observers) and intertribal gatherings.

Culturally relevant counseling - through the Youth Home staff and through the Tribal mental health and alcoholism workers.

Networking - through our longevity, we have developed stable working relationships with social service providers from Tribes; various states' educational, social service, and juvenile justice workers; BIA social service provides in several states; and other abuse and neglect programs across the country.

Prevention - being right in the community often allows us to know about a family's problems early enough to allow us to work with them and prevent out of home placement or, if placement is necessary, to find relatives to care for the kids.

Foster care - we discovered early in our operation that some children were ready for a family sooner than their family was ready for them or they had no family available. We needed to be a foster placement agency as well as providing group care. We are currently a certified child placing agency and are supervising nine foster homes. Several homes have been licensed because the state did not see them being closely enough related to the child being placed to be eligible for relative placement financial assistance. Several others were licensed because they "fell in love" with one of the Youth Home kids and wanted them to be a part of their family.

Court services - both myself, as Director, and the Caseworker at the Youth Home can and do act as the Presenting officer in our Tribe's Youth Court for cases involving child abuse and neglect. We make recommendations to the Court concerning case plan, placement, return to parents, etc. We also work with the parents to help them follow the case plan and have the

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care of their children returned to them. In several cases, jurisdiction of Muckleshoot children were transferred to Tribal Court form Seattle Court. In several other cases, our Tribal Court petitioned other tribal courtr for jurisdiction over their children who were in care at Muckleshoot. In other cases, a Tribe at some distance asked the Muckleshoot Tribe to intervene on their behalf in State Court and also to have the jurisdiction over their child transferred from State Court to the Muckleshoot Tribal Court. Needless to say, in order to have Tribal Court jurisdiction over children, a code must be in place to provide the necessary structure. Muckleshoot Youth Home staff participated in the originally drafting as well as the revisions of the Muckleshoot Youth In Need of Care Code.

Several of the above services show our function in the community-extended family for those who do not have family in the community or have been separated from their family for such a period of time that extended family networking is not available to them.

One of the services not mentioned above is follow-up after the children have returned to parents or relatives, are in foster or other family care, or are with another agency. One of our staff visits with the family or contacts the other agency involved to ensure that the child and/or child and family are doing well. Some of our residents come back for visits periodically to tell us how they're doing and to see how staff and other residents are doing. We've also kept in contact with many parents who periodically call or write to let us know how they and the kids are.

Some mention should be made of our financial backing. As we are certified by the State of Washington, we are eligible for financial assistance for our kids in both group care and foster care. However, the state retains the right to fund placement of those children who meet their placement criteria. We have provided temporary shelter to many children who have met the state's criteria. We also have applied for and received annual grants through the Indian Child Welfare Act to help support those aspects of the Youth Home Program not covered by the state's reimbursement for placement. While we have been fortunate to receive some ICWA funding, we have had difficulties convincing the Bureau of Indian Affairs to award us the level of funding needed to operate the Youth Home costs steadily increase over the years and state support is continually being reduced, the BIA have not increased our budget in five years, even though we have requested it and documented the need.

Our kids leave the Youth Home to go to the following placements:

Parent(s)	32
Relatives	20
Muckleshoot foster home	6

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Guardianship 4
Other foster care 13
Other systems (juvenile justice) 7
Turned 18 11
"On the Run" 2
Ongoing 7

Summary - For the Muckleshoot community and for children who need us wherever they are, we provide a range of services from prevention and crisis intervention to our of home placements (relatives, foster care and/or group care) with support services such as Court supervision, counseling, and parent training. We are a small program struggling to meet the needs of Indian children and their families. We remain the only state-licensed Indian group care facility in Washington and, despite the constant struggle for adequate operation funding, are committed to continuing our unique services.

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FAMILY BACKGROUND

BROKEN ADOPTION	2 PARENTS	SEPARATED/ DIVORCED 1 PARENT	1 PARENT DIED	BOTH PARENTS DECEASED	PARENTAL RIGHTS TERMINATED	1 PARENT PATERNITY NOT ACKNW.	REPARTERNED CUSTODIAL PARENT
4	13	13	13	5	8	13	20

PLACEMENTS AFTER GROUP CARE

ON THE RUN	PARENTS	RELATIVES	OUR FOSTER HOME	GUARDIANSHIP	OTHER FOSTER CARE	OTHER SYSTEM JUVENILE JUSTICE	TURNED 18	RESPITE
2	32	20	3	4	13	7	2	20

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PREPARED STATEMENT OF DIANE STARR, MUCKLESHOOT YOUTH HOME, SEATTLE, WA

I. BACKGROUND

I have worked at the Muckleshoot Youth Home for over six years. I started out as a substitute House Parent and moved to a full-time house parent.

I know what it is like to not have parents as I lost my mother when I was about 17 years old, and my younger brother and sisters were separated. That was real hard on us but we were lucky in that we all came back to this area and re-established ourselves as a stronger family. So I can relate to how the children feel.

Before we even accept any children, we as a staff look at the child's history to decide if we are going to be able to help that child's growth. The kids (teens) come out and just visit first to see if they want to come here. One of the first things asked is if they can smoke - se say no but they still want to come and try it here.

Sometimes kids think that they don't want to be here - we tell them that if they feel that way than we will talk it over with the case worker and they can be placed some place else - when the time comes to go they change their minds and want to stay- Sometimes they go and then they want to come back here.

Most of the kids we get here don't know any upkeep for themselves, we teach them how to wash clothes, do dishes, sweep up the floors. The girls we have had here don't know beans about cooking. They learn that from us. So when they go, they know how to cook and to keep themselves clean.

When we get our kids they don't like to take a shower but when they have, it's a different story. Thru the efforts of the houseparents, our children learn to love and trust again. It takes alot of patience and understanding to deal with our children.

II. The Youth Home functions like a family for the kids here and their families as well as for families in the community.

1. One of our new little girls calls me grandma.
2. Many of the little ones call us momma and pappa.
3. After kids leave - the older ones - at least ½ call to see how we and the kids are or stop by to see us.

III. I'm the "TOUGH" Houseparent

A. I make the kids do their chores - they're going to have to know how to do these things when they leave.

B. I expect and insist that they follow our rules - no fighting, attend school, do their chores and mind their manners. I feel that kids and grown-ups have to follow rules any where they go and need to begin following them here.

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C. It's kind of funny, but even though I'm the "tough" house-parent when most of the kids get into trouble or have problems, I'm the one they turn to for help.

IV. What our kids are like

A. Most of the older ones have lost of if not both of parents.

B. Most of the older ones have been in the "system"- either foster care of juvenile justice - for most of their lives.

C. The older ones have stopped trusting adults and the system - they've been let down too often.

D. All the kids have poor self esteem and many are very angry at how they've been separated from their parents or at their abandonment. The only ones that really don't show this anger have been the babies.

E. Kids are referred here by

1. Other tribes
2. DSHS (Department of Social and Health Services)
3. LICWAC's (Local Indian Child Welfare Advisory Committee)
4. Families refer to us because -
   a. Kids are out of control
   b. Family can't manage financially or care for the kids, and need support for the kids.
   c. Alcohol abuse
5. Social Service or similar agencies from other states and Canada.

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Chairman MILLER. Let's go on to Cheryl Henderson Peters.
Ms. PETERS. Thank you.

STATEMENT OF CHERYL HENDERSON PETERS, PROJECT COORDINATOR, SKOKOMISH SEXUAL ABUSE PREVENTION AND TREATMENT PROGRAM, MASON COUNTY, WA

Ms. PETERS. I have been the project coordinator for the Child Sexual Abuse Prevention and Treatment Project at Skokomish for the past 2½ years. The Skokomish Tribe received funding 2½ years ago from the Governor's juvenile justice section of D.S.H.S. to provide therapeutic services, to provide education, and to do some organizing and networking within Mason County around the topic of sexual abuse.

Our services are not just directed at tribal community members. Currently, our caseload is about 60 percent non-Indians, and the vast majority of the speaking engagements that we do are to non-Indian audiences.

The work that we have done, as I said, involves being able to provide assistance to families in crisis around sexual abuse. We have spoken to nearly 2,000 people in over 80 presentations in the past two and a half years since our inception.

We have treated or referred nearly 150 persons through the program. The treatment model that we employ is a more comprehensive one, so, when I talk about treatment, I am talking not just about therapy or counseling as has been commonly defined in treatment, but a whole array of services, which are much more encompassing and much more applicable to what is happening at Skokomish.

We know that sexual abuse is not isolated, that in a home where that is happening, there is more than one problem. So that the services that we provide for them must be much more comprehensive.

The project was begun at the request of tribal elders who gathered together to talk about this specific problem of abuse, and Lucy is going to allude to that a little bit later, to the specific incident.

They gathered to talk about the problem in the community, and to really strategize [sic.] about what to do about it. They decided that prevention was what they needed to do, and they directed their efforts at getting Social Services to be able to apply for money, and supporting them in doing that.

That proposal from the elders went to the Tribal Council. The Tribal Council then issued a resolution that said, "We care about our kids. We know that this is happening, and we want it stopped."

So that gave us the license then to apply for funds, and the Governor's juvenile justice section did give us those funds.

The origin of this project, the fact that it was the elders, that it was community-based and that the Tribal Council sanctions it; is extremely important. It is critical. It is critical to me, as the primary worker in that project, because sexual abuse work can be very isolating and it can be very dangerous. People who hurt children in this way can also hurt the people that want to help those children. So, I have needed that backing, and it has been wonderful

to have people on the Council, and people in the community to support me if push comes to shove.

I was asked originally to talk about some of the similarities and differences between what I have seen at Skokomish and the work that I do also in the larger community. I cannot do that in the short amount of time that I have. I mean, it would be a total injustice to even bring it up.

I can tell you that there are similarities, and there are differences, and that, if you are interested in hearing those, you need to go to the people who are delivering the services like myself and many, many others; and to the people that are receiving those services to hear that information. It is very individual, from tribe to tribe.

I think that the fact that this tribal program exists, and was begun in the way that it did is a clear statement; it is a statement to the larger community; it is a statement to all of us who live in and around Skokomish, that we are committed to protecting our children, that we want to be able to create for them a future that is safe.

We are concerned about their future and their welfare, and we want to take steps to make it a good world for them. I think that it is also a statement of competence. We have been providing services and doing so as appropriately and adequately as we are able, given our limited resources. We're developing the skills and expertise to meet the need.

I am extremely proud of the fact that people call the tribe and ask for services; whereas, it has been often the reverse. Normally, the tribal people have had to call to the outside for help.

And, like I said, our caseload is comprised of a lot of non-Indians who come to say—that they are very happy to be able to use those services. We prioritize for community people, of course; but the PR, as the Judge mentioned, is extremely important. It has helped us a lot in being able to continue funding and to be able to interface with other related programs.

I think also that the program's existence is a statement of need. Given the really minimal resources that tribes are alloted,and that tribes have; programs like the sexual abuse prevention and treatment project cannot have stemmed out of some sort of frivolous, "let's have a good time and do this work" need. It stems out of the real need. In our communities, kids are being hurt. They are being sexually abused by people that they know and love, and we need to stop that.

I do not think that the numbers of abuse victims is any different at Skokomish than it is in the larger outside world. I think that I experience the numbers greater because it is a close community. I know many of those offenders; I know many of those kids; they live next door to you. They are people that I know and visit with. I used to live on the Reservation, so I understand those problems. Hence, I think it may seem like it is more of a problem when it really is not.

I think that the project at Skokomish has been a project of impact. It has impacted the Skokomish community in a way that I think that they will not be able to turn back.

There is an awareness now that says, "We know what is happening, and we know we can't turn our backs. We want our kids to be safe."

When officials think about impact they want to see all my documentation. They want to see all my statistics; they want to see when I turn in my reports—do I do this? Do I have all my outlines? From that information, it may be difficult to ascertain impact.

But what I know from the work and from talking to the people is that it has had an impact on their lives.

I am appreciative of the opportunity to be able to come and talk about the work that has been happening at Skokomish and about the pride that we have taken in that work.

A woman named Sandra Butler has done a lot of writing in the area of child sexual abuse, and one of the things that she talks about is the progression of movement in healing from sexual abuse. We begin in silence—and I think that for a long time that tribes have been in silence, just as the larger community has been, about the problem of sexual abuse.

It has been a community secret, and we have broken that silence at Skokomish. We are a community that is developing a language, which is that second step—being able to figure out what to do, to talk about it, where to go, whom to ask—all those things. But that is only the second step. The third and final step of what we need to do is to take action.

We need some assistance in being able to take action to continue the action that we have taken. I know many tribes don't have the funds. They don't have the funds for startup programs; they don't have the funds to help them with technical assistance to be able to start those funds up, and to be able to interface with other programs. They are at a loss as to what to do. Action steps come hard when you don't have the expertise or funds to move ahead.

They know they want to do it; and they know they have to do it; but they don't have the startup funds or an understanding of the direction to go.

I really want to recommend to the committee that you look at how funds are allocated, and how much funds tribes get.

Help us be able to find the funds. If that means that we need to have people who are trained and can look for those funds in other sectors—help us to do that. Support us in doing that.

I think also that—and Lucy is going to allude to this a little bit more, that if there is anything that can be done about the need for interface between agencies such as law enforcement and tribes, we have got to do it. It is a major problem at Skokomish. We have got cases that are ugly; and they are ugly because the system is failing us. Investigations are not being done and communication is not flowing between us and the other agencies.

And so, I really want to challenge you to pay attention to those things that are happening on a local level.

Thank you.

Chairman MILLER. Thank you.

[Prepared statement of Cheryl Henderson Peters follows:]

PREPARED STATEMENT OF CHERYL HENDERSON PETERS, PROJECT COORDINATOR FOR THE SKOKOMISH SEXUAL ABUSE PREVENTION AND TREATMENT PROGRAM

My name is Cheryl Henderson Peters. I am the Project Coordinator for the Skokomish Sexual Abuse Prevention and Treatment Program. The Skokomish Nation is located in Mason County at the gateway to the Olympic Peninsula.

The project is a function of the Tribe's social service program. We received funding 2.5 years ago from the Governor's Juvenile Justice Section of D.S.H.S. The money enabled the Tribe to provide therapeutic, educational and organizational services related to sexual abuse. We have been able to provide services to not only this tribe, but 9 others. Non-Indians comprise about 60% of our current caseload. In addition, the majority of trainings and public presentations have been outside tribal communities. The ability to be a resource to the outside community has been an ego boost. People come to the tribe now for information, services and referral.

In the 2.5 years of our operation we have spoken to close to 2,000 persons in 80 different presentations. We have provided treatment or referral to about 150 persons. The project has been at the forefront of sexual abuse prevention and treatment work in our county and to some extent, around the state.

Currently we offer a teen group, a pre-teen group, a Mom's group, a kid's art group, individual and family therapy. We consult on cases, provide referrals, advocacy to victims and their families and do crisis intervention when necessary. The treatment model we are building is a more comprehensive one which includes this array of services and is more in keeping with the way in which the Skokomish community works.

This project was begun at the request of concerned tribal elders and is sanctioned by the Tribal Council. This community based origin has led to the project's success. Surely, it has been my support. Whenever the work gets tough, as it often does I need to know that the powers that be within the community will stand behind me or in front of me if need be. The people who would oppose the work being done need to know that it is not under my authority that I do the work, but as is invested in me by the governing ones. Anyone who does this work needs that credibility.

I was asked to talk about the similarities and differences I have seen doing the work at Skokomish. In this short amount of time I believe what is critical is for you to know that there are differences and there are similarities. You must be willing to listen to the individual community and how they define and express their need. It will take more than 5 minutes.

Sexual abuse is traumatic whether you're Indian or nonIndian. As a counselor and someone concerned with averting the possible long term impacts I am conscious of the many factors which impact that person's ability to heal. When you live in a world which devalues "brown", in which you are statistically likely to be alcoholic, be unemployed, not to finish school, to come from a violent home and to live below the poverty line; confronting the sexual abuse perpetrated against you by someone you love and trust gets lost in the mire. Because those factors are often so tied together, to address one means to evaluate your whole life. That's very overwhelming. It's easier to just try and forget it. That, of course does not happen. So you carry the pain and pass it on to your children who most often will repeat the cycle. At Skokomish and in the larger community I have seen generations of offenders and victims.

The work at Skokomish has been personally rewarding for me and I believe the Project has had positive impact on the lives of Skokomish and other Mason County residents. The fact that this Project exists is a statement of commitment to the safety and welfare of our children. We value our children and know that they deserve better than to be abused. The Project at Skokomish is a statement of competence. Tribes can do the work, but we need help. We need money to initiate new programs and to maintain and expand existing ones. We need technical assistance that comes from people who are sensitive to the unique needs of tribal people. We need social change so that "brown" is no longer devalued, but celebrated.

I don't know if we will ever be able to accurately measure the impact of the work this project has done, but if awareness promotes prevention then our impact has been great.

I have a lot of hope for the community at Skokomish and I also have a lot of fear. Three years is only a beginning. Now that we've opened up the can and told kids to tell about abuse we better be ready to meet the need. If we don't its just another set-up. They deserve better than that.

I am thankful for the opportunity to share my concerns and the pride I have for the work we've been doing. Author Sandra Butler talks about a progression of movement that I think is applicable here. "We started in silence, we're developing language and finding we can speak, breaking silence. Now we must take action." Skokomish has. I hope you will also.

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SEXUAL ABUSE PREVENTION AND TREATMENT PROJECT

The Sexual Abuse Prevention and Treatment Project is a service of the Skokomish Social Service Program. The grant is funded through the Juvenile Justice Section, Department of Social and Health Services and a mini-grant through Washington Coalition of Sexual Assault Programs. This is the third year of operation. The project was initiated at the request of concerned community elders, and is sanctioned by the Skokomish Tribal Council. It has a three-fold purpose: (1) to prevent through education the occurance of sexual abuse, (2) to treat or refer for treatment the victims and families of sexual abuse, (3) to facilitate and encourage the building and community responsibility and sensitive approaches to survivors of child sexual abuse and their families. This project is designed to meet the needs of both Skokomish tribal members and other Indian people and persons living in Mason County.

EDUCATION AND PREVENTION:

Our commitment to break the cycle of abuse by providing children with the skills to protect themselves and empowering children with a sense of their own rights has led us into schools. A combination of curricula is utilized in conjunction with films and workshop materials. The use of drama and puppetry helps convey the positive messages of prevention and empowerment.

Classroom teachers play a large role in the support and delivery of information. Hence, inservices on their behalf are held.

Project staff is available to provide training or general presentations to parents, concerned community groups or professionals working with children. Formal presentations to a number of local groups as well as a large number of out of county and state engagements have been very well received.

TREATMENT AND REFERRAL:

Our treatment plan offers support and information to victim/survivors of child sexual abuse and their families. Referrals to other appropriate agencies is made upon request for outside assistance, or pending evaluation by the staff. Abuser referrals are made to various individuals and agencies outside this program.

Long term, short term and crisis counseling are available. "Treatment" involves supporting and empowering the client to heal themselves through receiving information, exploring options and working through their feelings.

Our model is encompassing and includes provision of many services which are directed to positively impact healing. It involves much internal networking.

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NETWORKING AND INFORMATION SHARING:

The project sets at high priority the inclusion of other agencies who currently, or justifiably should be dealing with sexual abuse. The problem of sexual abuse is a community responsibility, not limited to individual families or organizations directly involved in responding to reports of suspected sexual abuse. The community, as a whole, must assume responsibility and take an active role in the protection of our children.

The staff is available to consult with or provide information for agencies seeking information on sexual abuse.

The project is involved with a number of local as well as State wide organizations.

STAFF:

Coordinator for the project is Cheryl Henderson Peters.

Patsy Blackstock is available part-time to provide therapuetic services.

Specific inquiries about the project are welcome and should be made to:

Cheryl Henderson Peters, Coordinator
Sexual Abuse Prevention and Treatment
Skokomish Indian Tribe
N. 80 Tribal Center Rd.
Shelton, WA 98584

(206) 877-5113 426-4232

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STATEMENT OF LUCY SHAFFER-PETERSON, VICE CHAIRPERSON, SKOKOMISH TRIBE, WASHINGTON

Ms. PETERSON. I am Lucy Peterson.

I am going to try to describe something like eating an oyster. You know, we could spend all day to tell you what it tastes like, if you have not eaten an oyster.

You know, I feel like you should come out to our reservation, spend a few days, and maybe you would understand what we are trying to tell you because it is really hard to explain to you, because, in the system you are, you can call the authorities, and they will come out and take care of things.

But it is not that way on our reservations. We have a possible rape by knifepoint; they have not been thoroughly investigated our cases of sexual abuse. There is no way they have; they have never looked at the medical evidence—nothing.

There is not anybody that I know of to turn to, to do this, to get us help. So, people recognize this. This word goes around the reservation.

Who is going to tell? Who cares to tell the other people? Nothing is going to happen. What does that teach our kids?

OK, now, I will read mine, I think.

My name is Lucy Peterson. I am an enrolled member in the Skokomish Indian Tribe. I have served on the Tribal Council approximately 5 years. I want to take this time to thank you for having me here today.

I tried for a job 4 years ago with the Skokomish Social Service, and I was hired. I then waived the wage that they were going to give me, and volunteered my services. The wage was $500 a month. They took the $500 a month and hired another person, and she began setting up foster homes and standards in place. I am telling you this to point out the lack of appropriate funds the tribe needs to have for an effective social service program.

It was at that time I became aware of charges that had been filed against a grandfather and son of sexual abuse and incest. The girls' ages at that time was 7 and 9 years of age. The charges were filed on December 7, 1981. The charges against the grandfather were dropped by the prosecutor. The father was convicted of indecent liberties on June 29, 1983, and he received 6 months' jail time with no treatment. He filed for an appeal. To this day, that man has not served jail time, or nothing—not a thing has happened.

I was really upset because the charges that had been filed against the grandfather by the two girls had been dropped. I went in and talked to the prosecutor; that man, when I was approximately 7 years of age, molested me. He molested my cousin; he molested their children. I was really upset, and it did not seem to do any good; we could not change what had happened.

The father in the case had a large, extended family, and was giving the mother a very hard time; and we wanted to help her in some way. So, we set up a group made up of elders, and that is what Cheryl was discussing, that in the group we decided to try to get help for the victims; and the tribe applied for a sexual abuse grant, and they received it. The mom, in the meantime, was 29

years of age; she passed away in the hospital. She had a baby that was less than a year old; she had a total of three children.

The tribe applied for a sexual abuse grant and received it. We needed to be able to have treatment available for victims. We have no funds for the offender to receive any kind of treatment. We do love these people, even if they are offenders. We would like to keep them in our communities, but we would like them to receive effective treatment so they can live in our communities and hopefully have a united family.

When cases are reported to the county, we feel that there is not a thorough investigation being done. When you call the FBI, they say it is up to the county, if you live on a 280 reservation, which we do.

This affects the community drastically. Who would want to report a case, if it is going to cause a lot of problems and never be handled appropriately—so our children continue to be victims.

I believe that when you become a victim of sexual abuse it affects our ability to develop our human potential to the fullest. We are not able to function to our fullest capacity. We feel very used. We need Indian children, Indian Child Welfare programs on reservations. We have to be able to work with the mothers and with their children.

Indian women are very strong, I believe. They can help their own families. If given more information on the harm sexual abuse has done to them and their families. The alcoholism, domestic violence, child abuse, low self-esteem are all possible contributing factors stemming from sexual abuse.

Our most important natural resource, our children, is being neglected by the lack of funding and ineffectiveness of our judicial system.

Yet, our fishing under Point-No-Point Treaty receives, $1,175,499 for the whole United States; this covers 4 Tribes. Indian Child Welfare grant moneys is $7.4 million. Yet our most vital natural resource we have is our children. Why does fish, timber, and the rest of it count so much? I cannot understand it. You guys passed this law in 1978—the Indian Child Welfare Act. Where is the money to back it up, so that we can put it in force, so we can start helping—so we can take care of our families, keep them united; get some treatment in to help them.

We ask in the best interest of our important resource, our children, for $50 million to go into the Indian Child Welfare Plans, and be appropriated to the tribes without competition. That is what has happened in the past; we have to compete; smaller tribes have not—they do not have grants writers. We fumble through it. Some years it is OK; we get a grant. We get it for a year. What can you do for 1 year? Exert yourself, that is all; it is a waste of money. It is set up to fail.

OK. And the judicial system needs to be made more effective. It is not effective. This little girl—9 years old, testified from the age 5. The kids are 11 years old—nothing has happened to the dad; that's OK in what happened to them. We are telling those kids that this is OK that this happened to you. That is not right.

Fifty million dollars would also help the smaller tribes have an attorney available to assist in our court cases. As it is now I, as a

case worker have to call a witness to the stand; I cross-examine that witness. I lower that witness. Then I go back out and say, "Hey, honey, I love you; I want to work with you." You know, I cannot accomplish that after doing that to them. We do not have money available for attorneys.

We need attorneys for other things, also; but just the fact to represent us even in Tribal Court. The system is not set up to work.

Thank you for your time, and I ask you to please consider our recommendations. Thank you very much.

Prepared Statement of Lucy Peterson, Member, Skokomish Indian Tribe

My name is Lucy Peterson, I am an enrolled member in the Skokomish Indian Tribe. I've served on our Tribal Council for approximately 5 years.

I want to take this time to thank you for having me here today.

I applied for a job about four (4) years ago and was hired. I then waived the wage I was to be receiving and volunteered my time for the first three (3) I was working. The $500 a month wage I was to be receiving was then used to hire another person to work on getting foster homes and standards in place. I am telling you this, to point out the lack of appropriate funds the Tribes need to have for an effective social service program.

It was at that time I became aware of charges that had been filed against a grandfather and son of sexual abuse (incest). The girls ages at that time were 7 and 9 years of age. The charges were filed on December 7, 1981. The charges against the grandfather were dropped by the prosecutor. The father was convicted of indecent liberty's on June 29, 1983 and received 6 months jail time with no treatment. He filed for an appeal, and to this day, nothing has happened.

I was really upset, because the grandfather in the case also molested me when I was about 7 years old. My cousins and their children also were molested. The father in this case, has a large extended family, and was giving the mother of these two (2) girls

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quite a hard time to drop the charges. We wanted to help her in some way, so we set up a group made up of elders to give her support. The mom in this case died in the hospital before the case was tried. She was 29 years old.

The Tribe applied for a sexual abuse grant and received it. We needed to be able to have treatment available for victims. We have no funds for the offender to receive any kind of treatment. When cases are reported to the county, we feel there is not a thorough investigations being done. When you call the FBI, they say it is up to the County if you live on a 280 Reservation. This affects the community drastically. Who would want to report a case if its going to cause a lot of problems and never handled appropriately. So our children continue to be victims.

I believe that when you become a victim of sexual abuse, it affects our ability to develop our human potential to the fullest. We are not able to function to our fullest capicity. We feel very used. We need the Indian Child Welfare Program on each reservation. We have to be able to work with the mothers and with their children. Indian women are very strong and I believe, they can help their own family's if given more information on the harm sexual abuse has done to them and their family. The alcoholism, domestic violence, child abuse, low self esteem, are all possible contributing factors stemming from sexual abuse.

Our most important natural resource, our children,is being neglected by lack of funding and the ineffectiveness of our judicial system, yet our fishing, under the Point No Point Treaty receives $1,175,499.00, this covers four (4) tribes. While Indian Child Welfare that congress put into effect in 1978 receives for the whole United States, $7.4 million.

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We ask in the best interest of our most important resource, our children, for $50 million to go into the Indian Child Welfare programs and be appropriated to the Tribes.

That the judicial system be made more effective.

Thank you for time, and I ask that you please consider our recommendations.

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Chairman MILLER. Thank you.

The competition that you described, Lucy. You are talking about competition within the Indian tribes for the Child Welfare money?

Ms. PETERSON. Out of that $7.4 million that covers the United States, the whole United States——

Chairman MILLER. I understand that. You were very explicit.

Ms. PETERSON. We have to be very competitive; we have to write the grants, sendthem in; and then we are either accepted, or denied.

Chairman MILLER. I understand that. What I am trying to determine is whether non-Indian entities may also receive this money if they service Indian population.

Judge WHITFORD. You did say, "Judge," did you not?

Chairman MILLER. Yes.

Judge WHITFORD. All right. When I was talking about the "competition," I meant between the tribal entities.

Chairman MILLER. OK, and is that the only competition that—I am trying to determine——

Ms. PETERSON. Urban Indians.

Judge WHITFORD. Yes, it is also urban, but what I am talking about is that we should not have to compete with anybody for this funding because the act itself had a funding component, under the Snyder Act and under title programs.

It is just that not enough money has been appropriated so that we can operate decently or continue programs that we have developed.

That is the kind of thing that I was addressing.

Chairman MILLER. I see. Now, let me ask you the second question.

If you receive funding, you do not receive funding on a sustained basis. You receive funding for——

Judge WHITFORD. On a year-to-year basis.

Chairman MILLER. And you have to rewrite the grant for the second year?

Ms. PETERSON. Right.

Judge WHITFORD. That is right.

Chairman MILLER. You are right; it is set up to fail.

Judge WHITFORD. That is correct.

So, I said, we had a model program; we were funded a second year, and, you know, $50,000—what can you do with $50,000; and people were amazed at what we were able to do with it with a little careful planning.

It is not that we are wasting the money; it is just that we need to have it on a more dependable basis.

Chairman MILLER. Well, you know, historically, we wrote the Foster Care and Adoption Reform Act—right around the same time, basically to deal with out-of-home placements, with institutional placements, and with the protection of these children's rights, as we move around between their family and extended family and institutions; and to start to get some review of that situation.

The Indian Child Welfare Act was written right around the same time, because we really overlooked the particular situation of the

Indian population, and the cultural problems of moving children out of Indian homes.

What is very clear, I think, so far today—and it was clear yesterday, is that this single act is really the vanguard of child protection services on the reservations, that the ability to use this act to develop placements for children in responding to protective services complaints or problems from within the family or from with the tribe—this is clearly the single most important act, assuming that it is properly funded.

But it does, in and of itself, give you the tools to start to work with these children.

Is this a correct assumption?

Judge WHITFORD. Yes, it is.

Chairman MILLER. Do you have a real problem with the act?

Judge WHITFORD. For instance, whereas my tribe—as I said, we had our State agreement in place at a very early stage, and I really strongly recommend tribes to establish the linkages with state services, the way we did.

And the way we got started is, we were invited to sort of an educational project under the Indian Child Welfare Act, but I noticed that a couple of Idaho State people were there, from Health and Welfare.

So, I invited myself to have lunch with them, and I later met with them on a private basis, of taking a person to lunch, a gentleman to lunch, and he was a gentleman, because he would not let me pay for the lunch.

However, because of the way the act was handled, so they would come in and hand you a piece of paper—"this is a new law, and you are the one to implement this."

And those folks did not know any more about the act than we did, so they came to learn about it. But what happened is that I shared materials that we had—you know, for implementation—strategies for implementation, so that when we actually sat down to talk about an agreement, we were starting in the same place.

We actually were able to put an agreement together in three meetings. And I just put another agreement together, and I did it in 3 weeks, because it has worked so well for us.

But you cannot sit back in your little office on the reservation and expect those State people to come to you. You have to make some effort; and so it cost me some time and a few lunches on my day off. But the working relationship we have has been worth it.

Chairman MILLER. Lucy, let me ask you—do you get IV-B moneys?

Ms. PETERS. Pardon?

Chairman MILLER. No, I am asking Lucy Peterson—do you get title IV-B moneys? You know, Foster Care Placement?

Ms. PETERSON. No, we do not.

Chairman MILLER. They do not come to the reservations?

Ms. PETERSON. No.

Chairman MILLER. Because Indian Child Welfare is a substitute?

Ms. PETERSON. No, my project which is funded is a function of Skokomish Social Services, so Skokomish Social Services is funded through numerous grants, one of which is the BIA——

Chairman MILLER. OK——

No, what I am trying to determine, and maybe somebody can answer this in the room.

Do moneys under title XIX, title IV-B moneys, do they flow to the reservation?

[Voice from audience]

Chairman MILLER. We will have to identify this person.

Please stand up over there.

Mr. HUNNER. My name is Bob Hunner. The State has an option——

Chairman MILLER. You have to identify yourself for the stenographers or they will fire me.

Mr. HUNNER. Bob Hunner. H-U-N-N-E-R. I work with Northwest Resource Associates here in Seattle.

The State has an option, allowing that money to go to tribes, and generally a tribe has to meet State standards for receiving those funds.

Chairman MILLER. But they——

Mr. HUNNER. And tribes, very often have difficulty meeting the standards because they do not have the funding. [Laughter]

Chairman MILLER. Now, wait a minute; I am just trying to determine whether one is exclusive of the other, one source of funding——

Mr. HUNNER. No.

Chairman MILLER [continuing]. Is exclusive. It is not?

Mr. HUNNER. No. No.

Chairman MILLER. Conceivably, the tribes can be eligible?

Mr. HUNNER. Conceivably.

Chairman MILLER. And that is where some of your money for the placement of children comes from the county or the State?

Ms. MARIE STARR. No, not the county, from the State.

Chairman MILLER. From the State, which is that money. OK.

Ms. MARIE STARR. We—the Muckleshoot Tribe receives Indian Child Welfare money. We are also licensed by the State of Washington——

Chairman MILLER. Right.

Ms. MARIE STARR [continuing]. To license foster homes, and that money comes to the—it is pass-through money, so it just passes—we just write the check out to the foster parent.

Chairman MILLER. OK, OK.

I think this is clearly one of the cases where the request for additional funding appears to be very legitimate, in the sense that we have now heard a number of successful programs, which then were terminated. I was deeply involved in Foster Care and Adoption Reform in the late seventies, and I will just tell you the landscape in this country is littered with local initiated programs that were funded for 1 or 2 years that were very, very successful in reducing the number of out-of-home placements, in reunifying families and bringing them back together after, whether it is sexual abuse incidents, or substance abuse, or what-have-you, none of which led to separation on a permanent basis. You have raised a couple of points here about the funding and the administration of the Indian Child Welfare Act that certainly this committee ought to follow up on, and I appreciate that.

If you have some more points, go ahead. We are using Congressman Lowry's time.

Ms. PETERSON. Yes, we applied for an ANA Grant, for example, and the moneys that we receive are so inconsistent that in the ANA Grant, half of it was cut out, OK.

We could do—we were allowed to do prevention; we were not allowed to do direct services, so what kind of program do you have when you are sitting there, and your clients are in crisis, and yet you are not allowed to go out and assist?

Because the money that you applied for, the guidelines they say to do prevention; so it is very inconsistent, you know, even if you get 1 year, grant you can kind of get around it and have a good program, and the funds are yanked, you can end up with a very ineffective program the next year with just, say, for example, just prevention items, you cannot deal direct, hands on with your client.

So, if the money was allocated to the tribes consistently, you know, they could create their own program for their own need on their reservation, and each reservation is different, and the people change.

So, your program has to change if you are going to be effective with the people that you are working with. It just does not go by "this grant covers this, and this covers that," so you have to stick to the one thing without a whole rounded program.

Thank you.

Chairman MILLER. Thank you.

Judge WHITFORD. I would like to say something further on "cooperation," and I mentioned staffing, when we have to staff a multiproblem family; and some of this, you know, we bring the director from substance abuse or from education or from employment services, TERO, whatever is available—Indian Health Services for mental and physical health—and we have a psychologist available to the tribe under contract through Indian Health.

So, when somebody needs intensive care, we sit down with all these people, and we are a small tribe—we do not need a coordinator, we just sit down—and what happens is that the problems are then apportioned out to the proper people that can handle that problem.

So, that way, you are really getting mileage for your money; there is no duplication of services; we cannot afford to duplicate services, so this is the way we work, and this is why our program is so successful; and the only thing that was actually funded was our shelter—but we used everybody else so that——

Another important factor I think I have not heard brought out is that we are a Public Law 280 tribe, and it was one of our tribal members, one of our tribal attorneys that drafted the bill, and working with the Indian Child Welfare Act and with the State, as I said, we have had our State agreement, when we vest custody with the State, then they assume full financial responsibility for that placement, you see; and there are about seven areas of jurisdiction that the State reserved to itself, including mental health.

I am having a few problems to break down. I have to keep reminding them to look at section so-and-so in the code, and then they write back and say, "What are you talking about?"

But I want them to look it up so they will read it. So, sometimes, you have to do a lot of creative things in order to be able to deliver the kind of services that you want to deliver; but we still need money.

Chairman MILLER. Thank you.

Mr. LOWRY. Thank you, Mr. Chairman, and I do not think many questions have to be asked in addition. I think you have made your point very clear.

Judge you kept using the term, "the problem of competition," and obviously with a small tribe being able to write a grant requires a lot of staff. You are talking about a $50,000 grant. Obviously, smaller tribes, it seems to me, would be at a real disadvantage in a competitive grant application.

What would you replace that with? Would you replace it with some sort of a weighted formula?

Judge WHITFORD. I think——

Mr. LOWRY. What would be the replacement to a competitive grant process?

Judge WHITFORD. Within the document, you probably have a copy of it.

Mr. LOWRY. Right.

Judge WHITFORD. I had stated that some other criteria needs to be used, perhaps the management standards, because the reason we lost our grant was actually poor management, and not so much that we couldn't write a grant. This person also could not write grants.

In my tribe, because we are a small tribe, all of us have to wear several hats.

Mr. LOWRY. Right.

Judge WHITFORD. And when we had had our shelter, it was not unusual for me to transport children, with no cost to the children; it cost a couple of other people; so we just started, stepped in and filled in, and would do the job that needed to be done.

It takes dedicated people; it takes time, a lot of time. I think if my children were not raised, I would probably be divorced by now, because I am not home that much.

Mr. LOWRY. If—well, you know, there needs to be a way by which the money gets from the act down to the tribe for the job to be done.

Judge WHITFORD. Right.

Mr. LOWRY. And should that be done on a formula-type basis, or on a competitive grant application basis.

Ms. PETERS. I think——

Mr. LOWRY. In other words, how do you get the money from there down to where it can do the job?

There has to be a process to do that.

Judge WHITFORD. I think it would be a monitoring through probably the BIA. You know, they are there, and they are supposed to be giving us technical assistance. This would be the channel or the way to channel it in, through an existent system rather than having to establish another whole layer of bureaucracy.

Mr. LOWRY. Ms. Peters, would you or anybody like to comment?

Ms. PETERS. I think one of the things that would really help is if the Government could set up a way in which each tribe would get minimal funding every year——

Mr. LOWRY. Right.

Ms. PETERS [continuing]. All of the time.

Mr. LOWRY. Yes.

Ms. PETERS. I mean, let us build a foundation, and then let us have access to the other funds available, like the funds that were available to the Skokomish Tribe to build this program. You can then apply for some of that other stuff; but let us have "cake", first and then maybe we can put some icing on it; but a lot of us do not even have cake.

Mr. LOWRY. Right. That is what I was going to ask.

Now, do you know if the existing law would allow that sort of a basic funding formula?

Ms. PETERS. I think that there are people in the room who have the answers to that, because the State of Washington has been involved in those sorts of negotiations and that information—Jan Goslin from the BIA and Terry Cross might have more answers.

Mr. LOWRY. All right, well, I am sure the chairman will pursue that, and we will be able to get that answer someplace anyway. I think you have made your point very well, and I also liked the comparison, although I think we would agree that maybe a comparison of the $700 pliers, or the $600 toilet seats would be even more applicable as to what we are doing with Federal money than on fish and timber, because I really do not think our problem is bothering the fish and trees. I think our problem is the fact that the military budget is $298 billion—billion with a "B" now, and was $145 billion in 1980. That is a big change.

Ms. PETERSON. But there is a system already in place to—on this competitive grounds, OK.

Mr. LOWRY. Yes.

Ms. PETERSON. For example, my tribe—I believe it was 3 years ago—we received a score of 97 and 99, I believe, for 2 years, OK; the following year we applied, we received—this is the same program—we received 67 points; we were dropped. See, the same program, so the system that is in place is not effective; it is not working; it is not correct; it is not right.

Chairman MILLER. Well, the burden is in the wrong place. The burden here is to make you continue to reapply; the burden ought to be whether or not you are doing the job that we thought we wanted down when we wrote the Act; and that burden should be on the Federal Government. It should not be on——

Ms. PETERSON. Right.

Chairman MILLER. [continuing]. On the delivery of services.

Thank you very much for your testimony.

The committee is going to recess now until one thirty; and lunch will be ready, they tell me, for those people who raised their hands earlier.

[Whereupon, at 12:35 p.m., the hearing was recessed, to be reconvened that same day at 1:30 p.m.]

AFTERNOON SESSION

Chairman MILLER. The committee will reconvene for the purposes of continuing to receive testimony. We're going to need the cooperation of everybody in the room if we're going to be heard.

Thank you. The next panel will be made up of Dr. Marilyn Bentz, who is the assistant professor of anthropology and director of the American Indian Study Center at the University of Washington; Tessie Williams, who is a community health representative of the Confederated Tribes of the Umatilla Reservation in Oregon; Sylvester Sahme, who is director of the Allied Health Office and health planner of the Confederated Tribes of Warm Springs, OR; Janice Lopeman, who is a community board coordinator of the Squaxin Tribe from Washington; and Woody Verzola, who is the director of the Indian Street Youth Program, Seattle, WA.

Welcome to the committee, and we appreciate you taking time to come and be with us. Dr. Bentz, we'll start with you.

STATEMENT OF DR. MARILYN BENTZ, ASSISTANT PROFESSOR OF ANTHROPOLOGY, DIRECTOR, AMERICAN INDIAN STUDY CENTER, UNIVERSITY OF WASHINGTON

Dr. BENTZ. Congressman Miller, Congressman Lowry, ladies and gentleman, I am Marilyn Bentz, director of the American Indian Study Program at the University of Washington.

In my written comments accompanying my testimony, I have described the high level of industry, independence, and resourcefulness of the Indians in their native Northwest cultures.

I have also described the Bureau of Indian Affairs boarding school policies which were deliberately designed to destroy the relationship between Indian children and their parents.

As the previous testimonies have so eloquently described, Indians are today reaping the disasters of these and other Federal policies. The tribal representatives have told of their current problems and needs. They also have made it clear that they have taken control of their own destinies, and within the narrow compliance of the limited funds available, are solving their own problems.

I do not think I can add anything to these remarks which were based upon day-to-day experience working with Indian children and families.

I do want to address my remarks to the relationship between urban Indians and reservations which have not previously been discussed.

The 1980 census indicates for the first time that a majority of Indians live off reservations in this region. This statistic is misleading. There is a high rate of movement back and forth between urban areas and reservations.

The problems of the reservations, therefore, are not confined to the reservations, but overlap with those of urban areas.

Prior to the first World War only a few Indians lived off reservations. With the voluntary participation of the Indians during the first World War, and subsequent manning of citizenship to Indians in 1924 by the Federal Government, as a token of gratitude for their service, a few Indians who had experienced off reservation life while in the service moved to urban areas.

However, it was not until the Second World War when large numbers of Indian servicemen and women and war workers became familiar with other parts of the country that any significant migration to urban areas took place. And it was the determination policies of the 1950's that really began the wholesale migration of Indians to urban areas.

The relocation policies during that era were designed to compare it in its determination. Relocation programs developed to encourage Indian movement to urban areas with the promise of employment and housing, which left many Indians who participated stranded in the cities unable to compete for jobs, and often when they did manage to be employed, unable to keep them because of cultural characteristics which interferred with understanding the expectations of their employers, with no money, no knowledge of the support systems other urban poor use, or with cultural inhibitions that left them unable to use these programs even when they did know about them.

Often those who could, found their ways back to the reservations; however, this experience established a precedent for family and friends to follow, and those Indians who did manage to survive in the urban areas provided temporary shelter and support for those who wanted to try life in the urban areas.

The pattern today is for Indian people to travel to urban areas during their young adulthood and search for a better life than they could have in the reservation where employment opportunities are so limited. When they are sick, unemployed, or aging, they often return to the reservation where there is an extended family to take care of them, and they will again be eligible for Indian public health services.

Often young people will also leave their children with relatives on the reservation while they work in the urban area. Thus, the reservation is left top heavy with the old, young, and sick, who need extra social services.

In addition, transfer of residents to the urban areas does not mean that there is an equivalent transfer of emotional attachment. The reservation is still considered home, and urban people usually visit relatives there as much as possible, even if they are doing well in the city.

Clearly, the preservation of the reservation is vital, not only for reservation Indians, but for the urban Indian as well. It is the only homeland that Indians have. This is something that so many Americans do not understand. Even other disadvantaged minorities.

Other minorities can confirm their roots and identify with the still viable cultures from which they came, Chicanos to Mexico, and other Central American countries, blacks to Africa, and Asians to Asia. For the American Indian the reservations are all they have left of a homeland.

It is vital to us all, whether we are urban or reservation, that our reservation homeland be preserved and thrive. I am especially dismayed when other minorities, as well as the majority of populations, seek to classify Indians simply as minorities. This is the only land we have, and it is an insult to be classed simply as only an-

other minority because we have some of the same social economic problems as they do.

Now, I would like to answer the questions that Representative Miller asked. He wanted to know what members of the first panel thought should be the priorities to beginning to solve multiple problems reservations have such as through programs for employment, social problems, education, housing, et cetera since so many funds have been spent thus far with only minimal results.

He received some excellent and practical suggestions, but I would like to address the question at a more general level. There are three points I want to make.

First, Indians have only had the opportunity for approximately the last 10 years to control the administration of their own programs, and not even that long for many reservations.

The Federal Government had over 130 years to address these problems in this region, and often at much higher funding levels than are available to tribes today. How can anyone really expect to undo the damage done to Indian people within 10 years, much less 50, or 100 years?

Indian people have been denied the opportunity to practice their native economic activities; they've been displaced from their native territory in many cases; and they have been impoverished and have their family lives disrupted over Federal policies over which they had no control.

Material cultures and economic activities can be changed easily. The psychological patterns which were functional with these systems take generations to change. We know how difficult it is to attack social problems in any group, but these problems are magnified 100-fold when people have their native institutions eliminated and have been forced to accept the lifestyle of a different culture.

Second, Indians must be allowed to make mistakes. Congress must be tolerant of mistakes, even money mismanagement. Left alone Indian people will take care of these problems. There is still corruption everywhere in American, State, Federal, and local government. Why should this not occasionally be a problem, even frequently be a problem, with Indian-managed institutions only now evolving on reservations?

Third, Indians should be allowed to move at their own pace. It is through resolution that people evolve their own institutions to handle their problems—their own solutions to their problems. Indians have not enjoyed this privilege until recently. Indians in this region, even when leadership was hereditary, made decisions based on group consensus. Group consensus takes time, and Indians have a cultural disposition to understand this and to be more tolerant of the problems than other people.

In the 1930's those reservations who accepted the Indian Reorganization Act were required to accept the counsel form of government in which the majority has the authority to make decisions that may not be acceptable to everyone. The imposition of this form of government on the people who were organized by kinship has disrupted the informal controls that government orderly decisionmaking in Indian communities.

Remember, Indians did not create the problems. They were created for them. And it will take time for Indians to gain their balance in this world, which is not of their own making.

The United States Government should applaud the self-determination—you'll have to forgive me here. I typed this up after I heard the first two panels and this last page is a mess.

The United States Government should applaud the self-determination, resourcefulness, and initiative that Indian people are displaying today, and rise to the occasion to make the resources available for Indians to fulfill the dreams.

The United States professes to be concerned about human rights. Every country in the world in which it meddles. We have confidence that billions of dollars—we have spent countless billions of dollars trying to save the freedom of South Vietnamese and the oppression of communism. Billions more to establish the—and maintaining homeland for the Israelis and Palestinians, and now we are about to take an equally costly plunge into Central America where we again claim our major concern in the freedom and human rights of the inhabitants.

Yet, there is probably more active resentment, particularly in this region, over the approximately $1 billion a year spent on Indian programs for all—than for all of these other ventures.

Even though the money spent on Indians is a legitimate part of obligation the Federal Government undertook when it signed treaties with Indians, it is not charity. It is the repayment of the debt long overdue.

This is really less a drop in the bucket for what the Americans received in return. One of the richest countries in the world. Until America lives up to its obligations to Indians, it has egg on its face and would be wise to look the other way when issues of international human rights are discussed.

I would like to end on a note of optimism. Today there is unprecedented progress in Indian communities. Progress that was undreamed of 20 years ago. There has been a dramatic increase in Indian control of their institutions. planning for the future, and involvement in higher education.

The real hope for Indians lies in what I believe to be the limitless potential of the Indian people to develop their own future. The strong communal values of sharing and family life have withstood the test of gargantuan efforts to destroy them. Indians are a practical people who see reality as it is without bemoaning, or question its validity, and I think the future is ours if those in control will only allow us to develop it.

Chairman MILLER. Thank you.

[Prepared statement of Marilyn Bentz follows:]

PREPARED STATEMENT OF DR. MARILYN BENTZ, ASSISTANT PROFESSOR OF ANTHROPOLOGY, DIRECTOR, AMERICAN INDIAN STUDY CENTER, UNIVERSITY OF WASHINGTON

I am Marilyn Bentz, Director of the American Indian Studies Center at the University of Washington. In my written comments accompanying my testimony I have described the high level of industry, independence and resourcefulness of Indians in their native Northwest culture. I have also described the Bureau of Indian Affairs policies, and particularly the boarding school policies, which were deliberately designed to destroy the relationship between Indian children and their parents. As the previous testimonies have so eloquently described, Indians are today reaping the dis-

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asters of these and other federal policies. The tribal representatives have told of their current problems and needs. They also have made it clear that they have taken control of their own destinies and within the narrow confines of the limited funds available are solving their own problems. I do not think I can add anything to these remarks which are based upon day-to-day experience working with Indian children and families.

I do want to address my remarks to the relationship between urban Indians and the reservation. The 1980 census indicates for the first time that a majority of Indians live off-reservation in this region. This statistic is misleading. There is a high rate of movement back and forth between the urban areas and reservations. The problems of the reservation, therefore, are not confined to the reservation, but overlap with those of the urban areas.

Prior to the First World War, only a few Indians lived off-reservation. With the voluntary participation of Indians in the First World War and the subsequent granting of citizenship to Indians by the federal government in 1924, as a token of gratitude for this service, a few Indians who had experienced off-reservation life while in the service moved to urban areas. However, it was not until the Second World War when large numbers of Indian servicemen and women and warworkers became familiar with other parts of the country that any significant migration to urban areas took place. And it was the termination policies of the 1950's that really began the wholesale migration of Indians to urban areas. The relocation policies during that era were designed to prepare Indians for termination. Relocation programs developed to encourage Indian movement to urban areas with the promise of employment and housing, left many Indians who participated stranded in the cities, unable to compete for jobs and, when they did manage to be employed, often unable to keep them because of cultural characteristics which interfered with understanding the expectations of employers. With no money, no knowledge of the social service support systems other urban poor used, or with cultural inhibitions that left them unable to use these programs, even when they did know about then, many of those who had the resources found their way back to the reservations. However, this experience established a precedent for family and friends to follow. And those Indians who did manage to survive in the urban area provided temporary shelter and support for others who wanted to try life in the city.

The pattern today is for Indian people to travel to urban areas during their young adulthood in search of a better life than they can have on the reservation where employment opportunities are so limited. But after one year off-reservation Indians are no longer eligible for health care through the Indian Health Service. When they are sick, unemployed or aging, they often return to the reservation where there is an extended family to take care of them and they will again be eligible for Indian Public Health services. Many young people will also leave their children with relatives on the reservation while they work in the urban area. Thus the reservation is left top heavy with the old, young and sick who need extra social services. In addition, transfer of residence to the urban area does not mean that there is an equivalent transfer of emotional attachment. The reservation is still considered home and urban people usually visit relatives there as much as possible even if they are doing well in the city.

Clearly the preservation of the reservation is vital, not only for reservation Indians, but for the urban Indians as well. It is the only homeland that Indians have. This is something that many Americans do not understand, even other disadvantaged minorities. Just as Americans of European origin, and other minorities can confirm their roots and identify with the still viable cultures from which they came—Chicanos can look to Mexico and other Latin American countries, Blacks can look to Africa and Asians can look to Asia—for the American Indian the reservations are all we have left of a homeland. It is vital to us all whether we are urban or reservation Indians that our reservation homeland be preserved and thrive. I am especially dismayed when other ethnic minorities as well as the majority population seek to classify Indians simply as minorities. This is the only native land we have and it is an insult to be classed only as another disadvantaged minority because we have some of the same socio-economic problems.

Next, I would like to answer the question that Representative Miller asked when he wanted to know what members of the first panel thought should be the priorities for beginning to solve the multiple problems reservations have such as through programs for employment, social problems, education, housing, etc. since so many funds had been spent thus far with only minimal results. He received some excellent and practical suggestions but I would like to address this question at a more general level. There are three points I want to make:

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1. Indians have only had the opportunity for approximately the last ten years to control the administration of their own programs. The federal government had over one-hundred and thirty years to address these problems in this region and often at much higher funding levels than are available to tribes today. How can anyone really expect to undo the damage done to Indian people within ten years, or even fifty or one-hundred years. Indians have been denied the opportunity to practice their native economic activities, they have been removed from their Native territories or limited to a fraction of their original size, they have been impoverished and have had their family lives disrupted through federal policies over which they had no control. Material cultures and economic activities can be changed easily—but the psychological patterns which were functional with the traditional culture systems take generations to change. We know how difficult it is to attack social problems in any group, but these problems are magnified a hundred-fold when a people have had their native institutions eliminated, and they have been forced to accept the life style of a different culture.

2. Indians should be allowed to make mistakes. Congress must be tolerant of mistakes, even money mismanagement. Left alone, Indian people will take care of these problems. There is still corruption everywhere in America state, federal and local government after over two-hundred years of experience with our political system. Why should this not occasionally, and even frequently, be a problem with Indian managed institutions now evolving on reservations. Identification of wrongdoing in governmental units off the reservations does not seem to discredit the entire governmental establishment, only the wrongdoers. Yet, such problems on the reservation, even minor ones, raise questions of whether Indians should be allowed to manage their own affairs.

3. Indians should be allowed to move at their own pace. It is through conflict resolution that people evolve their own solutions to their problems. Indians have not enjoyed this privilege until recently. Indians in this region, even when leadership was hereditary, made decisions based on group consensus. Group consensus takes time and Indians have a cultural disposition to understand this and to be more tolerant of problems than other people. In the 1930's those reservations who accepted the Indian Reorganization Act were required to accept the council form of government in which the majority has the authority to make decisions that may not be acceptable to everyone. The imposition of this form of government on a people who were organized by kinship has disrupted the informal controls that governed orderly decision-making in Indian communities. Indians need time to learn to deal with their problems under this new alien form of government. Remember Indians did not create their problems, they were created for them—and it will take time for Indians to gain their balance in this world which is not of their making.

The United States government should applaud the resourcefulness, initiative and self-determination that Indian people are displaying today and rise to the occasion to make the resources available for Indians to fulfill their dreams. The United States professes to be concerned about human rights in every country in the world in which it meddles. We have spent countless billions of dollars trying to "save" the freedom of the South Vietnamese from the oppression of communism, billions more to establish and maintain a homeland for the Israelis in Palestine and now we are about to make an equally costly plunge into Central America where we again claim our major concern is the freedom and human rights of the inhabitants. Yet there is probably more active resentment over the approximately one billion dollars a year spent on Indians than for any one of these other adventures combined. The money spent on Indian programs is a part of the legitimate obligation the federal government undertook when it signed its treaties with Indians. This money is not charity; it is the repayment of a debt long overdue. The dollar amounts are less than a drop in the bucket for what Americans have received in return—one of the richest countries in the world. Until America lives up to its obligations, it has egg on its face, and would be wise to look the other way when issues of international human rights are discussed.

I would like to end on a note of optimism—today there is an unprecedented progress in Indian communities, progress that was undreamed of twenty years ago. There has been a dramatic increase in Indian control of their institutions, (especially since the 1975 Indian Self-Determination Act which allows Indians to contract and manage their own services), planning for the future, economic development and involvement in higher education. Major problems persist, but these are not as great as history would have led us to expect. The incredible strength of the Indian communal spirit of sharing, family values and investment in respect for the world and its creatures continues. These Indian values have stood the test of gargantuan efforts to destroy them. The real hope for a better life for Indians lies in allowing us

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to develop our own future. Indians are a practical people who see reality as it is, without bemoaning or questioning its validity. We will attend to the things that will bring us a better future if those in power allow us the necessary freedom and support to do so.

Chairman MILLER. Tessie Williams.

STATEMENT OF TESSIE WILLIAMS, COMMUNITY HEALTH REPRESENTATIVE, CONFEDERATED TRIBES OF THE UMATILLA RESERVATION, OREGON

Ms. WILLIAMS. Good afternoon, Congressman Miller, Congressman Lowry.

My name is Tessie Williams. I'm a member of the Confederated Tribes of the Umatilla Reservation, Pendleton, OR. I'm a community health representative.

I would like to share a few minutes with you about native American families, or Indian families.

In the past our families worked and lived as an extended family. The elders, grandparents, were the teachers. Discipline was never a parent's responsibility.

There was a whipman who came around to visit. From early morning to late evening everyone had a responsibility. The family came at a certain time each day on time. The men were the leaders, chiefs, and teachers to the young.

There was a known elder to go to if there were problems. There was a certain time when a young man was sent out to find a special gift. Messages were sent by dreams, animals, for we believe in nature and live by the seasons.

There was a time for spiritual songs, medicine songs, and traditional healing, and using herbal medicine. Today our families are viewed in many ways. We do have families to carry out the same lifestyle as generations past, as they have the grandparents in the household.

And yet we have young families who can be considered high risk. High risk for these families will have had many problems within the household. Most probably alcohol related, no jobs, poor nutrition, no spiritual guidance. And as the young will tell you, we thought everyone lived this way.

This family would have no control over the children. They would make their own decisions, so you could see the teen pregnancies, no education, and a lifestyle to continue with many problems.

Also today affecting families are both parents having to work. The children have time spaced with parents, preschool, day care, kindergarten, with little time to be little children. Yes, we give them no time to be children.

It's not just education they get, but at a very young age sex education. With what affects people nationwide, it also affects our people. Alcoholism is one of the highest ranking to change our lifestyle.

In our teen mothers fetal alcoholism can be seen. We have clinics, programs to help, but there is always some who lack the proper health care. So the children continue to be high risk.

We have single parents who have a very difficult time in raising their families, poor nutrition, no funds, unless they are on welfare, and if the mother works there is little control over children.

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We have mixed marriages. Most of the time end up living on the reservation. Sometimes the children are eligible to be enrolled as tribal members, depending on the quota of blood of the confederated tribes, and then some are not eligible.

Our elders always have been the highest priority in health care. Today they continue to make the decisions on what they need. Some families care and do their very best in this responsibility. We have some who feel it's the program who should take care of them. In most cases we try to share the responsibilities.

[Speaker speaking Indian.]

Many generations past it was foreseen that we would speak a different language. We would think in a different way. This land would be different. So today, and for the future, we continue to be families who encourage what we value of the generation past, our traditions, heritage. We pull together what we have today, the value of modern education, modern lifestyle, to make this path for our native American to survive.

We care for the body with Indian foods, the fish, the berries, the roots, the meat. We care for the mind in our teaching the language, to think Indian, be pround of who we are, as the Creator gave us this lifestyle, very unique. We dance and continue in our traditions.

Spiritually our songs are sung. Our traditional healing is used. Indian—continues combined with other religion. Our people have always been known as very spiritual people.

In our teachings we share with many the positions, hospital staff, faculty of universities, schools, students, teachers, and the churches. As I have stated, we are viewed by many and different perspectives. Today we hear the question what is an Indian.

This is what I wanted to show you, and what you have heard from many different people today, all of these are combined within. We have beautiful people, and what we have been taught in competition is to do the best we can. You can look at it both ways, that it creates a problem, and you could look at it another way, it works. The problem is we have to compete among each other or it doesn't get anyplace, but creates a problem among the Indian people and the United States.

And we don't want this. We want to equalize everything that we have to balance out so that our people can lead and to be able to survive.

So confrontation on funding creates a problem. One of the things that I'm concerned about in Pendleton on our reservation pertains to my people and the next generation, is the Hanford site.

Our reservation is 35 miles long and 25 miles north and south. The railroad goes through our reservation. And the freeway goes through our reservation. So we have a Hanford site. What will happen to our tribal people? What will happen to our reservation? That affects our families and our children and the next generation.

Thank you.

Chairman MILLER. Thank you very much.

PREPARED STATEMENT OF TESSIE WILLIAMS, MEMBER OF THE CONFEDERATED TRIBES OF THE UMATILLA RESERVATION

My name is Ethel Tessie Williams, member of the Confederated Tribes of the Umatilla Reservation. I would like to share a few minutes with you about Native American Families or "Indian Families."

In the past our families were and lived as an extended family. The elders, grandparents were the teachers, discipline was never a parent's responsibilities, there was the Whip Man who came to visit.

From early morning to late evening everyone has responsibilities, the family ate at a certain time each day on time.

The men were the leaders, chiefs and teaching to the young. There was a known elder to go or be sent to, if there were problems. There was a certain time when a young man was sent out to find a special gift. Messages were sent by dreams, animals for we believed in nature and lived by the seasons. There was a time for spiritual songs, medicine songs, and traditional healing and using herbal medicine.

Today our families are viewed in many ways. We do have families who carry on the same life style as generations past, as they have a grandparent in the household.

And yet we have young families who can be considered high risk. High risk would be families who have many problems within the household. Most, probably alcohol related. No jobs, poor nutrition, no spiritual guidance and as the young would tell you "we thought everyone lived this way." This family would have no control over the children. They would make their own decisions, so you could see teen pregnancies, no education and a life style to continue with many problems.

Also today, affecting families are both parents having to work. The children have timed space with parents, pre-school, day care, kindergarten with little time to be little children. Yes, we give them no time to be children. Its not just education they get, but at a young age sex education.

With what effects people nationwide, it also effects our people. Alcoholism is one of the highest ranking to change our life style. In our teen mothers fetal alcoholism can be seen. We have clinics, programs to help but there is always some who lack the proper health care, so the children continue to be high risk. We have single parents who have a very difficult time in raising their families. Poor nutrition, no funds; unless they are on Welfare and if the mother works, there is little control over children. We have mixed marriages. Most of the time end up living on the Reservation. Sometimes the children are eligible to be enrolled as a Tribal member depending on the quantum of blood of the Confederated Tribes and then some are not eligible.

Our elders always have been the highest priority in health care. Today they continue to make the decision on what they need. Some families care and do take the very best in this reponsibility. We have some who feel "its the program" who should take care. In most cases we try to share the responsibilities.

Many generations past is was foreseen that:

(1) We would speak a different language.

(2) We would think in a different way.

(3) This land would be different.

So today and for the future we continue to be families who encourage with what we value of the generations past our traditions, heritage we pull to what we have today—the value of modern education, modern life style to make this path for our Native Americans to survive.

We care for the body with Indian foods; the fish, the berries, the roots, the meat. (Elk or deer)

We care for the mind in our teaching the language, to think "Indian", be proud of who we are as the Creator gave us this life style. Very unique. We dance and continue in our traditions.

Spiritually our songs are sung, our traditional healing is used, Indian Religion continues. Combined with other religion our people have always been "known as spiritual people".

In our teachings we have shared with many; the physicians, hospital staff, faculty of universities, schools, students, teachers and churches. As I stated we are viewed by many in a different perspective. Today we hear the questions "What is an Indian?".

Chairman MILLER. Tessie, you're accompanied by Mr. Burke, who is a tribe member. Did you want to testify at this time, sir?

Mr. LOWRY. George, can I interrupt for just one second.

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There's a Dodge station wagon, license JED-352, your lights are on.

Chairman MILLER. Mr. Burke, go ahead.

STATEMENT OF WILLIAM H. BURKE, MEMBER, CONFEDERATED TRIBES OF THE UMATILLA RESERVATION, OR

Mr. BURKE. Yes, Mr. Chairman Miller, and Senator Lowry, and other committee members, my name is William H. Burke, and I am speaking as representative of the Confederated Tribes of the Umatilla Indian Reservation in Oregon. I am a member of the board of trustees of the governing body of the tribe, and the chairman of the Tribal Health and Welfare Commission.

It is an honor and a pleasure to speak to this House Select Committee. I'm sorry—about our tribe's concern about Indian child welfare matters, particularly as we understand your committee is not specifically concerned solely with Indian-related issues.

We appreciate your interest and inclusion of these issues in the broader scope of your committee, and further appreciate your traveling to the northwest to meet with us.

The Umatilla tribe's primary concern involves funding or the lack of it, to properly provide all services the tribe would like provided, and should be able to provide.

The Umatilla tribe, we are a Public Law 280 State. We share civil jurisdiction to the State of Oregon over Indian child welfare matters, although we have an established tribal court, a child's code, a children's code, and a social worker. The State is the primary social service provider for Indians living on the reservation. This includes provision of foster and shelter care.

There are three homes in Pendleton which provide temporary shelter care. There are approximately 50 foster homes in the area. None of them are Indian families. Because of insufficient available funding the tribe is unable to provide or pay for foster home services, or other institutional services, such as shelter care once an Indian child is placed in foster shelter care by the tribal court.

The child must rely on the State to provide and pay for these services. This is not completely satisfactory for at least three identifiable reasons. One, I have just mentioned. This is the current lack of available Indian foster homes, and any shelter facilities. Another is that any placement made by tribal court must be evaluated under state agency standards before the state will make a placement, which delays the process.

Third, there are insufficient available funds to allow the tribe to develop criteria for tribally approved foster homes, to recruit Indian foster families, or establish and operate an on-reservation shelter care facility. These are services the tribe is very interested in providing, the services we need to provide to our members, and are unable to provide because of that eternal problem, lack of funds.

Another funding problem involves lack of any juvenile detention facilities in the area, either county or tribal. It is totally unadvisable to put minors in the county jail with adults, even more so as there have been three suicides by hanging in this jail in the past 6 months.

There is often a wait for available space in the nearest facilities, over 200 miles away. A juvenile ordered and placed in detention by the tribal court, or the county, must be kept at home or put in foster care until space is available.

If funds were available there is the potential for establishing a juvenile facility that could be utilized by the tribe and the county. Until that happens, those children, their families, and the community continue to feel the consequences of insufficient funding and services.

As a final note, I would emphasize that short-term, one shot, or start-up funding, is not the answer. It is only an invitation to failure. Sufficient funds must be appropriated and made available on a continuing basis for any of these services to be provided successfully.

Thank you again for your time, and for this opportunity to express our concerns to your committee.

Chairman MILLER. Thank you. Sylvester Sahme?

[Prepared statement of William Burke follows:]

PREPARED STATEMENT OF WILLIAM BURKE, A REPRESENTATIVE OF THE CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION IN OREGON

Chairman Miller, Committee Members: My name is William Burke, and I am speaking as a representative of the Confederated Tribes of the Umatilla Indian Reservation in Oregon. I am a member of the Board of Trustees, the governing body of the Tribe, and the Chairman of the Tribe's Health and Welfare Commission. It is an honor and a pleasure to speak to this House Select Committee about our Tribe's concerns on Indian Child Welfare matters, particularly as we understand your Committee is not specifically concerned solely with Indian related issues. We appreciate your interest and inclusion of these issues in the broader scope of your Committee, and further appreciate your traveling to the Northwest to meet with us.

The Umatilla Tribe's primary concern involves funding, or the lack of it, to properly provide all the services the Tribe would like to provide, and should be able to provide.

Because we are in a Public Law 280 State, we share concurrent civil jurisdiction with the State of Oregon over Indian Child Welfare matters. Although we have an established Tribal Court, a Children's Code and a Social Worker, the State is the primary social services provider for Indians living on the reservation. This includes provision of foster and shelter care.

There are three homes in Pendleton which will provide temporary shelter care. There are approximately 50 foster homes in the area, none of them Indian families. Because of insufficient available funding, the Tribe is unable to provide or pay for foster home services or other institutional services, such as shelter care, once an Indian child is placed in foster or shelter care by the Tribal Court. The Tribe must rely on the State to provide and pay for these services. This is not completely satisfactory, for at least three identifiable reasons. One I have just mentioned, that is the current lack of available Indian foster homes and any shelter facilities. Another is that each placement made by Tribal Court must be evaluated under State Agency standards before the State will make a placement, which delays the process. Thirdly, there are insufficient available funds to allow the Tribe to develop criteria for tribally approved foster homes, to recruit Indian foster families, or establish and operate an on-reservation shelter care facility. These are services the Tribe is very interested in providing, services we need to provide to our members and are unable to provide because of that eternal problem, lack of funds.

Another funding problem involves lack of any juvenile detention facilities in the area either County or Tribal. It is totally inadvisable to put minors in the County jail with adults, even more so as there have been three suicides by hanging in this jail in the past six months. There is often a wait for available space in the nearest facilities, over 200 miles away. A juvenile ordered and placed in detention by the Tribal Court—or the County—must be kept at home or put in foster care until space is available. If funds were available, there is the potential for establishing a juvenile facility that could be utilized by the Tribe and the County. Until that happens,

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those children, their families and the community continue to feel the consequences of insufficient funding and services.

As a final note, I would emphasize that short term, one-shot or start up funding is not the answer. It is only an invitation to failure. Sufficient funds must be appropriated and made available on a continuing basis for any of these services to be provided successfully.

Thank you again for your time and for this opportunity to express our concerns to your Committee.

STATEMENT BY SYLVESTER SAHME, DIRECTOR, ALLIED HEALTH OFFICE AND HEALTH PLANNER, CONFEDERATED TRIBES OF WARM SPRINGS, OR; ACCOMPANIED BY BERNICE MITCHELL, TRIBAL COUNCIL

Mr. SAHME. Thank you. My name is Sylvester Sahme. I am the allied health director and health planner with the Confederated Tribes of the Warm Springs Reservation of Oregon.

Congressman Miller, and Congressman Lowry, today I have with me Bernice Mitchell, who is a member of and representing our tribal council, following the testimony she would be willing to respond to any questions that you may have.

I am here today to present factual highlights and case examples about a reservation that will help this committee identify trends and conditions affecting our children, youth, and families.

Equally important, we can demonstrate how the Federal tribal partnership works. Our reservation covers 640,000 acres created by treaty of 1855. We have 2,792 members, and are the largest employer in central Oregon, 1,550 people employed in our forest, lumber mill, government, and enterprise activities.

The tribal government is very concerned about delivery of health services on the reservation. Since our treaty was signed the United States has accepted primary responsibility for health services on the reservation as a trust responsibility. Until recently, Congress, acting through the Snyder Act and other legislation, has borne most of the financial burden.

Our tribes began assuming responsibility for health and social services during the early 1970's. Significant social disorders surfaced during 1972 when the report we produced stated 219 children did not live with their natural parents. Seventy-four percent of the children were in foster placement with the State children's service division.

Alcohol and substance abuse were at epidemic proportions. We had little control on how health should be defined and prioritized. Programs and services growth depended on funding availability. Training and staff development were geared toward symptoms without long-term effects and goals in mind.

Today the provision in health service is a joint effort between IHS and the tribes. In addition to IHS funds, the tribes embarked on a comprehensive medical insurance program covering its employees and their families. Under the program the tribe self-insure the first $5,000 of coverage, and reinsure with the underwriter for the balance.

Most of the benefits go to tribal members and other Indians on the reservation, making this the largest single payor of medical benefits in central Oregon. The tribal council adopted a charter of accountability. This charter identifies an organizational mission,

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operational philosophy, results they want, and standards by which we can accomplish these results.

Our charter dictates that the health services focus on strengthening the family through community involvement. In spite of our efforts, serious barriers continue to impede our progress. A prime example is the western European disease oriented medical model practiced by the Indian Health Service.

This service approach treats the body and forgets the mind and the spirit. This model is illness oriented, short term, and doesn't resolve basic problems.

Other primary problem areas follow. The CHR data system is an example of an IHS reactive planning. Tribes formerly expressed the concern that this system must be field tested, practical, timely, and reliable; however, IHS imposed the system on the tribes and are having to start a new one again.

Inadequate housing has been a chronic problem. Multiple families living in single homes has created serious health and social service problems. The IHS clinic is inadequate to handle the increasing number of outpatient visits, limiting program services. The average unemployment rate for the reservation is estimated at 35 percent. The total resident labor force is approximately 1,000 with 600 employed full time, and 300 unemployed, and 200 seasonally employed.

Today 48 percent of our enrolled membership is 20 years and younger. At the other extreme, 4 percent of our population is 61 years and older. Between these two extremes are the 21- to 60-year-olds representing 48 percent of our total.

Our membership profile indicates 85.5 percent is 40 years and younger.

Another symptom of our young community, during 1985, 46 percent of live births were to unwed mothers. The statewide average is 17 percent.

The Federal prosecutor refuses and has failed to take on serious criminal and community protection cases where children have been sexually abused and assaulted.

A study of unintentional injuries showed almost 70 percent of the injuries occurred to individuals in age groups from zero to 25. The 11- to 15-year-old age group has had the highest incidence rate. The age group 16 to 30 have the highest number of alcohol-related injuries of 67.7 percent.

During the first 6 months of 1985 the profile of a person attempting suicide was a female using, wrist slashing, or overdose, motivated by implusive anger, under the age of 40, unemployed, comes from a one-adult family with a history of alcoholism and/or physical and sexual abuse. This person had previous contact with our tribal social services, experiences a substance use disorder and a psychiatric disorder. No female suicides were completed during this time.

Persons completing suicide were male, under 20, using hanging or guns, having 10 to 12 years education, come from unstable families, and have been diagnosed as having both substance-use disorder and a psychiatric disorder.

From 1979 through 1985 124 deaths occurred on the reservation. During the 5-year period the average age of the death wass 35. Ap-

proximately 30 years below the national average. Of the 62 deaths over the age of 35, 25 died of chronic alcoholism, and in addition, 11 people died of alcoholic drug-related causes.

The most troubling aspect of this problem is that a very large number of these deaths occur among our young people. Of the 62 deaths under 35, 100 percent died directly or indirectly from alcohol or drug-related causes.

Until recently, neither IHS nor the tribal programs were able to significantly impact our health problems. We've stated our problems at your request; however, we would like to share our positive achievements as well.

Some examples are: On our reservation during 1985 we had no alcohol-related automobile fatalities. In 1984 IHS services recorded 22,129 outpatient visits, logged payments for 2,853 referrals to other health care providers, and having an average of 8.1 prenatal visits.

In fiscal year 1985 the tribal community counseling center had an 80-percent increase in people using services. The tribe was awarded a Federal $125,000 contract to purchase residental treatment services for indigent persons.

The tribes and the State mental health division are developing funds to initiate handicapped and developmentally disabled children's programs. For 26 consecutive quarters our childhood immunization rate has been above 90 percent.

Tribal health department annual operations, 5 year, and master plans, are near completion. Since 1969 the tribe has financed over 400 housing units, and 150 HUD units. Substandard housing has been reduced from 50 percent to 5 percent. A 53-unit, HUD-financed mutual help project is scheduled this year, which will reduce the housing shortage to approximately 150 units.

Mutual tribal and IHS planning for new health center is continuing.

Our achievements would not occur without the combined resources of the Federal and tribal governments working together. Through combined efforts, we hope to further evolve a holistic health system. Our goal is to continue moving from an illness oriented approach to an education, prevention, and wellness approach. We must get to the root of the problem by maintaining program quality and continuity which emphasize wellness. Apart from our recognition and ownership of both problems and solutions. The Federal partnership continues to be a critical part of the achievement of our goals for strengthening our families.

Thank you.

[Prepared statement of Sylvester Sahme follows:]

PREPARED STATEMENT OF SYLVESTER SAHME, ALLIED HEALTH DIRECTOR AND HEALTH PLANNER WITH THE CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON

My name is Sal Sahme and I am the Allied Health Director and Health Planner with the Confederated Tribes of the Warm Springs Reservation of Oregon. I am here today to present factual highlights and case examples about our reservation that will help this committee identify the trends and conditions that affect our children, youth and families. Equally important is that we can demonstrate that the federal-tribal partnership works.

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Our reservation covers 640,000 acres created by treaty in 1855. We have 2792 members and are the largest employer in Central Oregon with 1550 people employed in our forest, lumber mill, government and enterprise activities.

BACKGROUND

The tribal government is very concerned about the delivery of health services on the Reservation. Since our Treaty was signed, the United States has accepted primary responsibility for health services on the Reservation, which we view as a trust rresponsibility. Until recently, Congress, acting through the Snyder Act and other legislation, has borne most of the financial burden. Our tribes began assuming responsiblity for health and social services during the early 1970's. Significant social disorders surfaced during 1972 when a report we produced stated, "219 children did not live with their natural parents (28% of all children under 18 years of age). 74% of these 219 children were in foster placement with the State Children's Service Agency".

Alcohol and substance abuse were at epidemic proportions. We had little control on how health should be defined and prioritized. Programs and services growth depended on funding availability. Training and staff development were geared toward the symptoms without long-term effect and goals in mind.

Data from our Vital Statistics Department show that from 1969 to 1979, 269 deaths occured among tribal members. Natural deaths accounted for 177, of these, 23 were due to cirrhosis or acute alcoholism, and another 84 were due to non-natural causes (accidents, homicides and suicides) related to substance abuse.

WHAT'S HAPPENING NOW

Today the provision of health services is a joint effort between the IHS and the Tribes. In addition to IHS funds the Tribes have embarked on a comprehensive medical insurance program covering its employees and their families. Under the program the Tribes self-insure the first $5000 of coverage and reinsure with an under writer for the balance. Most of the benefits go to Tribal members and other Indians on the Reservation and make us the largest single payor of medical benefits in Central Oregon.

The Tribal Council recently adopted a Charter of Accountability. This charter identifies our organizational mission, an operational philosophy, results we want, and standards by which we can accomplish these results. Our charter dictates that health and social services focus at strengthening the family unit through community involvement in all human service programs.

Despite our efforts, very serious barriers continue to impede our progress. A prime example is the Western European disease oriented medical model practiced by the Indian Health Service. This service approach treats only the body and forgets the mind and the spirit. This model is illness oriented, short-term and doesn't resolve basic problems. Other primary problems areas are the following:

(1) The Community Health Representatives data system is an example of IHS reactive planning. Although Tribes formally expressed the concern that this system must be field tested, proven practical, timely and reliable, IHS forced and imposed the system onto Tribes, and are at a point of starting a new system over again.

(2) Inadequate housing has been a chronic problem. Overcrowding caused by multiple families living in a single home has created serious problems, both health and social.

(3) The present IHS clinic is grossly inadequate to handle the increasing numbers of outpatient visits and limits programs and services.

(4) The average unemployment rate for the reservation is estimated at 35 percent as of September 1985. Additionally the total Resident Tribal members labor force was approximately 1000 with 600 employed full time, 300 unemployed and 200 seasonally employed.

(5) Today 48% of our enrolled membership is 20 years old and younger. At the other extreme 4% of our population is made up of the 61 years and older age group. Between these two extremes are the 21 to 60 year olds that represent 48% of our total 2,706 members. However, examining our membership profile indicates 85.5% of our make-up is 40 years old and younger.

(6) Another symptom of our young evolving community is during 1985 46% of live births were to unwed mothers. The statewide average is 17%.

(7) The youth of our community are being affected in another way. The Federal Prosecutor refuses and has failed to take on serious criminal and community protection cases in which children have been sexually assaulted or abused.

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(8) "A Study of Unintentional Injuries at the Warm Springs IHS Health Center" showed that almost 70% of the injuries occurred to individuals in the age groups from 0 - 25. The 11 - 15 year old age group had the highest incident rate (474/1000). Males accounted for 59% and females 41% of all reported injuries. Age groups 16 - 30 had the highest number of alcohol related injuries at 67.7%. Of 81 motor vehicle related injuries, 34 or 42% were alcohol related.

(9) During the first 6 months of 1985 the profile of a person attempting suicide was a female using wrist slashing or overdose, motivated by impulsive anger, under the age of 40 (with half being under 18); unemployed and comes from a one-adult family with a history of alcoholism and/or physical/sexual abuse. This person has had previous contact with Tribal Social Services and tends to experience both a substance use disorder and a psychiatric disorder. There were no female suicides completed during this time.

Persons who completed suicide were male, under 20, using hanging or guns; have ten to twelve years education and come from unstable families and have been diagnosed as having both a substance use disorder and a psychiatric disorder. Suicide rate for U.S. is 12.1/100,000.

Suicide rate for Warm Springs area for the period of January 1, 1985 to June 1, 1985 is 85.2/100,000.

(10) During 1979 to 1985 124 Indian deaths occurred at Warm Springs. During the five year period the average age of death was 35, approximately 30 years below the national average. Of the 62 deaths over the average age of 35, 25 died of chronic alcoholism with an additional 11 people dying of alcohol or drug related causes. From our Tribe's viewpoint, the most troubling aspect of this problem is that a very large number of these deaths occurred among our young people. Of the 62 deaths under 35, 100% died directly or indirectly from alcohol or drug related causes.

CONCLUSIONS

Until recently, neither IHS nor the Tribal programs had been able to significantly impact our health problems. We've stated our health problems at your request. However, we would like to share our positive achievements as well. Some examples are:

(1) On the reservation during 1985 we had no alcohol related automobile fatalities.

(2) In 1984 IHS services recorded 22,129 outpatient visits, logged payments for 2,853 referrals to other health care providers and had an average of 8.1 prenatal visits.

(3) In FY '85, the Tribal Community Counseling Center had an 80% increase in people using services. This indicates for both IHS and the Tribe that the community recognize problems exist and are seeking help.

(4) The Tribe was awarded a Federal $125,000 contract to purchase residential treatment services for indigent persons.

(5) The Tribe and State Mental Health Division are developing funds to initiate handicapped and developmentally disabled children programs.

(6) For 26 consecutive quarters our childhood immunization rate has been above 90%.

(7) Tribal Health Department Annual Operations, 5-year and Master plans are near completion.

(8) Since 1969 the Tribe has financed over 400 housing units and 150 HUD units. Substandard housing has been reduced from 50% to 5%. A 53-unit HUD financed "mutual help" project is scheduled this year, which will reduce the housing shortage to approximatelly 150 units. The tribes continues to finance approximately 20 ownership units annually.

(9) The continuation of mutual Tribal and IHS planning for a new health center.

Our achievements would not occur without the combined resources of the Federal and Tribal government working together. Through these combined efforts we hope to further evolve of Holistic health system. It is our goal to continue moving from an illness oriented approach to a education prevention and wellness approach. We must get to "The Root of the Problem" by maintaining program quality and continuity which emphasize wellness. Apart from our recognition and ownership of both the problems and the solutions, the federal partnership continues to be a critical part of the achievement of our goals for strengthening our families.

Chairman MILLER. Thank you very much.

Janice?

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STATEMENT OF JANICE LOPEMAN, COMMUNITY BOARD COORDINATOR, SQUAXIN ISLAND TRIBE, WASHINGTON

Ms. LOPEMAN. Good afternoon. I'm here today from Squaxin Island to talk about the community boards.

I was asked specifically to talk about the purpose in the development of a community board, and the board's experience in mediating cases, especially those involving children, youth, and families.

The purpose of community boards of Squaxin Island is to mediate cases of a general nature that don't require professional or legal attention. Community boards is an alternative to the court system and a way in which community members resolve their own conflicts. In this way the tribal community is strengthened, and the goal of self- determination is further supported.

Historically, the tribes practiced this model long before there were legal systems. A group of chiefs or elders would listen to disputing parties and would assist the parties to find an amiable solution. The process is quite similar to the community boards model that we are currently utilizing.

In the community boards process a panel of three to five trained volunteers from the tribal community meet with the parties having the dispute. They work with the parties to help them understand each other, and to reach their own agreements.

The trained volunteers in our program include some elders and youths. They come from a cross-section of the community, including law enforcement, social services, fishermen, tribal administrators, housewives, and counselors.

Some tribes of community board programs, including Squaxin, have made mediation part of their youth codes. In this way, a case could be referred to the tribal court and the parties could be required by the judge to attend mediation sessions. However, most of our cases are completely voluntary and not connected with a court case at all.

Presently, there are five tribes in western Washington participating, and although I didn't put this in my written testimony, but I should mention them. They are Nisqually, Swinomish, Tulalip, Skokomish, and Squaxin Island.

The program is funded by Northwest Area Foundation and New World Foundation, and has been in operation since 1983. It is coordinated by the Northwest Intertribal Court System, a consortium of 13 tribes.

I am here today to give you information about the Squaxin Island Community Board. The program has been in existence since January 1984. I have been working since May 1985 and found the program to be quite successful in achieving its goals.

Here are the statistics that will illustrate the types of cases and the number of individuals involved in the community board process. These statistics are quite small because it's a relatively new program:

In the first 6 months of 1985 the overall program, that is 5 tribes, handled over 35 referrals and resolved 7 cases. Seventy-four different individuals and three tribal agencies were involved, and out of these individuals, 18 were youth. Of the 35 case referrals, 9 more cases involving youths or family crisis-type situations.

In the second year of the program it was found that the percentage of self-referrals, compared with the agency and court referrals, had increased dramatically. This indicates that the program is really starting to reach into the community.

Specifically, let me elaborate on a few cases and give you some narrative on the particulars.

First, there was a case that involved several children, mothers, and public school transportation staff. The reason the community board became involved was because the children were not being allowed to ride on the bus because of their behavior, and the mothers had no way to transport the children daily. The principal, bus driver, and the head of the bus transportation department agreed to meet with all of the parties involved to work something out. It took several lengthy hours to resolve the problem. The end result was that the mothers agreed to contribute some of their time to being a bus monitor. They could observe the bus situation firsthand and keep the peace, and the children were allowed to ride the bus to school.

Another case dealt with the question of child abuse in a family. This case was referred to an Indian child welfare worker. The community board deals with domestic violence and child abuse cases in a very limited capacity. These types of cases are generally referred to the proper agencies or authorities so that professionals become involved.

Quite often children are the brunt of many cases and the parents become affected. There was a case where three families were involved in a playground fighting incident. The children were young, so the parents were implicated. I acted as a mediator and went from one family to another communicating the version of the incident to each one. In this way, they had a better understanding of the event and then proceeded to resolve their own dispute. The families remained friends, and I assume the guilty children were reprimanded.

One interesting case that I heard about concerned two parents that couldn't agree on where their daughter was going to be placed. The mother wanted the girl to be placed with friends while the father disagreed about the arrangements. The parties hadn't been talking for several years. At the end of the panel hearing they both came to an agreement and are still talking to each other.

In addition to the panel hearings, we hold conflict resolution workshops. These workshops sometimes convince people to complete the training and become community board panelists. By learning the process we can give people a new skill that will aid them to resolving their conflicts.

Squaxin Island staff participated in such a workshop in the summer and seven volunteered for further training. Squaxin Island had the summer program for the children in the area. We were asked to hold a conflict resolution workshop for the youth workers. There were 16 participants, and they did a commendable job learning these new techniques.

We have plans to present some conflict resolution workshops in the local high school, and we hope in a way to involve more young people in learning how to deal with conflict.

As a community based conciliation system, tribal community boards offers a new approach using our traditional ways based on harmony and respect. It offers an exciting potential for community justice on the reservation, and real opportunities for families and youths to take charge of their own conflicts in a responsible way.

It is not, however, a panacea for all of the problems currently facing youth and families in our communities. At Squaxin, for example, there's an unemployment rate of at least 49 percent, and a high school dropout rate over 48 percent. These alarming statistics impact youth and families in ways that the best conflict resolution program could not address.

Likewise, the Squaxin Island Tribe in the last year alone lost funding for its day care and preschool, Indian child welfare and Title IV programs.

Forty-five percent or more of our families are living on the poverty level. These are the problems that are contributing to many of the kinds of conflicts that come to community boards for mediation.

Tribal community boards offers an alternate way other than violence or courts to solve disputes. But if it is to address the needs of youths and families on our reservation, it cannot supplant the role of other social programs that are critically needed.

Thank you for the opportunity to address the select committee on children, youth, and families.

[Prepared statement of Janice Lopeman follows:]

Prepared Statement of Janice Lopeman, Squaxin Island Community Board Coordinator

The purpose of Community Boards at Squaxin Island is to mediate cases, of a general nature, that don't require professional or legal attention. Community boards is an alternative to the court system and a way in which community members resolve their own conflicts. In this way, the Tribal community is strengthened and the goal of self-determination is further supported.

Historically, the Tribes practiced this type of model long before there were legal systems. A group of chiefs or elders would listen to disputing parties and would assist the parties to find an amiable solution. The process is quite similar to the community boards model that we are currently utilizing. In the Community Boards process a panel of three to five trained volunteers from the Tribal community meet with the parties having a dispute. They work with the parties to help them understand each other and reach their own agreements. The trained volunteers in our program include some elders and youths. They come from a cross-section of the community including law enforcement, social services, fishermen, tribal administration, housewives and counselors.

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>
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As a community-based conciliation system, Tribal Community Boards offers a new approach using our traditional ways based on harmony and respect.

It offers an exciting potential for community justice on the Reservation and real opportunities for families and youths to take charge of their own conflicts in a responsible way.

It is not, however, a panacea for all the problems currently facing youth and families in our communities. At Squaxin, for example, there is an unemployment rate of at least 49% and a high school drop out rate of over 48%. These alarming statistics impact youth and families in ways that the best conflict resolution program could not address.

Likewise, the Squaxin Tribe in the last year alone lost funding for its daycare and preschool, Indian Child Welfare, and Title IV programs. Forty-five percent or more of our families are living at the poverty level. These are the problems that are contributing to many of the kinds of conflicts that come to Community Boards for mediation.

Tribal Community Boards offer an alternative way, other than violence or court to solve disputes, but if it is to address the needs of youth and families on our Reservations it cannot supplant the role of other social programs that are critically needed.

Thank you for the opportunity to address the Select Committee on Children Youth and Families and state.

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NORTHWEST INTERTRIBAL COURT SYSTEM

121 FIFTH AVE. NORTH
SUITE [illegible]
EDMONDS, WASHINGTON [illegible]

Phone: (206) 774-3404

ELBRIDGE COCHISE
Administrator & Chief Judge

SUPPLEMENT TO ORAL TESTIMONY
TRIBAL COMMUNITY BOARDS PROJECT---NORTHWEST INTERTRIBAL COURT SYSTEM

The attached documents supplement the oral testimony of Janice Lopeman, Squaxin Island Tribe, regarding the Tribal Community Boards project of the Northwest Intertribal Court System. NICS is a consortium of thirteen Tribes in Western Washington. The NICS project currently coordinates community-based conciliation (mediation) programs in the Skokomish, Squaxin Island, Nisqually, Swinomish and Tulalip Tribes. At least four other NICS member Tribes are tentatively interested in starting programs in their communities.

The attached page 1 briefly describes the development of the project by NICS. Pages 2 and 3 are reprinted from an article which appeared in Linkages, a newsletter of the National American Indian Court Judges Association pertaining to Indian Child Welfare issues. The third attachment in a general brochure describing the work of the Northwest Intertribal Court System.

For more information about the Northwest Intertribal Court System or the Tribal Community Boards Project, contact Emily Mansfield or Rusty Kuntze at the above address.

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BRIEF HISTORY OF TRIBAL COMMUNITY BOARDS PROJECT

The Northwest Intertribal Court System (NICS) was founded in 1979 by Indian tribes in western Washington. Its establishment was a result of the perceived inefficiencies of operating independent tribal courts for a large number of small tribes. NICS functions as a circuit court and personnel bank. It provides justice system personnel as needed to the thirteen participating tribes. NICS is recognized as a model court system by the Native American Indian Court Judges Association and since it began operation in the spring of 1979 it has provided judicial, prosecutorial, defender and code-writing services.

While tribal courts have played an important role in recent years to stregthen tribal governments and promote self-determination, the justice systems of most tribes are based on the Anglo-American adversarial model. In the small closely-knit tribal communities of the NICS tribes, such a model does little to address the sources of conflict or heal conflicts so that disputants can continue to live together peaceably. The NICS Governing Board recognizing the need to develop tribal justice systems that reflect tribal values and traditions, dedicated a long-range program goal to providing information and training for NICS tribes on "alternative" justice systems.

In 1982 with a grant from the New World Foundation and funding from Tulalip Tribe, NICS set out to assist three member tribes to design and implement community based conflict resolution programs. The Tribal Community Boards Project was the result. Modeled after the innovative and highly-successful Community Boards Program of San Francisco, the program uses trained volunteers from the tribal community to serve as a panel of mediators to help disputants resolve their own disputes. Community Boards hearings have been used successfully to deal with tribal youth and family problems, as well as disputes between neighbors. Hearings have also resolved tensions between Indian and non-Indian families residing together on the reservation. The tribes hope to expand the use of Tribal Community Boards into the schools where they would be a resource to deal with misunderstandings based on racial and cultural differences.

The Project is in its early stages of development and is to our knowledge the only community based mediation program in Indian tribal communities in the U.S. In order for th programs to become firmly rooted in their respective communties much work needs to be done in the areas of outreach, planning, program development, training and evaluation. The ultimate goal of NICS Tribal Community Boards Project is for each tribal program (five to date) to become self-sufficient. The tribal communities will have the capacity to identify and resolve conflict within the community without relying upon outside experts. Tribal courts will continue to serve as forums for many cases, but there will be a non-adversrial option available for the majority of conflicts.

The Tribal Community Boards Project is indicative of a new direction in tribal justice - a justice service provided by tribal community members themselves which reflects the tribal traditions and values of each individual tribe.

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From: LINKAGES
VOLUME III, ISSUE 6 AUGUST 1985

TRIBAL COMMUNITY BOARDS:

Peacemaking Panels Apply Traditional Ways to Modern Problems

by Emily Mansfield, Northwest Intertribal Court System

In the summer of 1983, a group of young children broke a picture window in the home of a non-Indian resident on the Skokomish reservation. Angered by what they considered to be repeated vandalism, the owners contacted the county sheriff.

The incident could easily have been just one more example in what had become a typical way of handling youth-related problems on the reservation: either state authorities would not respond at all, leaving the homeowner frustrated and angry; or the Indian youths would become enmeshed in the state juvenile court system, leaving them and their parents alienated and angry.

Instead, thanks to the new Skokomish Community Peacemaking Panel, this incident took a different turn with positive results for everyone.

When the problem of the broken window became the first referral to the Skokomish Peacemakers, it was handled in a way that has since become familiar to many tribal members: first, the panel coordinator talked personally with all the people involved in the incident. She explained what mediation is and the benefits of the parties' resolving the conflict themselves. She convinced everyone to come voluntarily to a mediation session and convinced the county sheriff to refrain from acting, pending mediation. She then arranged for four trained community volunteers to meet with those involved to lead them through a simple four-step mediation process. During this process, the mediation panel helped the anxious, often angry parties to listen to each other, understand each other's views and work on solving the problem together.

The case resulted in agreement: the children's parents would repair the broken window; the homeowners would not prosecute the case; the kids would volunteer several hours work in the homeowner's garden; and finally, the children could play in the yard any time. Thus, several years of festering antagonism between the parties gave way to better relations and, most significantly, the children were not processed by the state juvenile justice system. Instead, they gained the self-respect of learning to take responsibilities for their actions from adults who had taken the time to listen.

The Peacemaking Panel, or the Skokomish Tribal Community Board as it has come to be called, began as the brainchild of the tribe's Indian Child Welfare Committee. Determined that the tribe's new youth court would reflect tribal values in an appropriate, non-adversarial process, the committee established a volunteer mediation panel which it modeled after the successful Community Boards Program in San Francisco.

As the Skokomish people worked to modify the San Francisco model to their small, rural tribal community, they enlisted the Northwest Intertribal Court System to obtain funding and to help develop and coordinate a network of tribal community peacemaking boards among the surrounding tribes in Northwest Washington.

During the first year that the Northwest Intertribal Court System sponsored the project, the Skokomish, Squaxin Island and Tulalip Tribes established peacemaker programs. Thirty tribal community members took an intensive 24-hour mediator training, seven people learned how to be trainers themselves, and 23 cases were referred to the programs. Seven of eight cases heard resulted in agreements and all but one of the agreements were voluntarily followed by the parties involved.

Recently, two more Washington tribes (Nisqually and Swinomish) joined the peacemaker network and recently mediation services were extended to all 13 of the Northwest Intertribal Court System's member tribes.

Although the peacemakers' initial focus was on youth-related problems, mediation has become an effective "forum of first resort" for a variety of cases. In fact, conflicts now mediated include such varied issues as child placement and custody issues, employee grievances, neighbor/neighbor complaints, and fishing disputes.

The presence of the community-based conflict resolution programs has had demonstrable benefits. At Skokomish, where all social service case workers are now trained in mediation, all of the Indian child welfare cases filed in tribal court in 1984 were settled by agreement of the parties; parents at Squaxin Island used the program successfully to resolve problems with the local school district; through program workshops, teenaged supervisors in two tribal summer recreation programs learned conflict resolution skills in their jobs; and the programs provided a forum for a number of conflicts over which the courts otherwise had no jurisdiction.

In addition, Skokomish and Squaxin Island have provided for mediation within their tribal court procedures for Indian child welfare cases. Cases can be referred for mediation at any one of three stages.

- Before the case is filed in tribal court, mediation may be used between the parent and a tribal caseworker, acting as the child's advocate. If the mediation is successful, it may be possible to avoid the necessity of the case's going to court.
- After a case is filed in tribal court, mediation can be used to reach an agreement which can be reviewed by the judge and entered as a court order.
- Or, after a fact-finding hearing, the judge can refer the parties to mediation to reach an agreed disposition.

The Tribal Community Boards, which are responsible for the mediation process, depend on trained volunteers from the community. Mediation requires impartiality. Thus the question of how much impartiality can be

Continued on page 4

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PUBLICATIONS

Heritage and Helping: A Model Indian Child Welfare Training Curriculum. (Library of Congress Number: 85-60617)

A five-module curriculum developed in 1984 by the Northwest Indian Child Welfare Institute. Each module has its own curriculum and accompanying training guide, which may be purchased for $6 and $9 respectively. Discounts are available to tribal agencies or urban Indian organizations.

The content of each training module is described below:

Module I. Basic Skills in Indian Child Welfare.

A 2-day curriculum (approximately 50 pages) which introduces interviewing, assessment and case management skills. Indian child welfare systems, past and present, are also examined and basic principles and assumptions are highlighted.

Module II. Protective Services for Indian Children.

A 2-day curriculum (approximately 50 pages) which examines the process and skills used to provide child protective services in the Indian community. Intake, investigation, assessment, case planning and intervention procedures are introduced. The worker's responsibilities in preparing a case for court are also reviewed. Cultural issues which impact the delivery of child protective services are highlighted.

Module III. Indian Foster Family Care.

A 2-day curriculum (70+ pages) which introduces the concepts and processes involved in placing Indian children in foster care. The Bill of Rights for Foster Children is reviewed. Issues such as recruiting/licensing foster homes, preparing the child for separation, and the rights/responsibilities of the biological parents are discussed.

Module IV. Services to Indian Children at Home.

A 2-day curriculum (80+ pages) which focuses on three topic areas which are considered by the NWICWI to be current priorities in Indian Child welfare: (1) providing services at home; (2) assisting the alcoholic family; and (3) parent education.

Module V. Permanent Planning for Indian Children.

A 2-day curriculum (60+ pages) which introduces the Indian child welfare worker to the principles, concepts and skills used to ensure that children are provided with continuity in their lives. The worker's responsibilities in dealing with the children and with the parents are discussed. Various permanent placement options are examined.

A sixth module, Training Issues and Methods in Indian Child Welfare, is currently being developed and will be available soon.

Orders for any of the above should be sent to: the Northwest Indian Child Welfare Institute, Box 751, Portland, OR 97207. Telephone: (503) 229-3038.

Northwest Indian Child Welfare Institute Directory of Child Welfare Services.

A directory of over 100 pages which is designed to facilitate communications between persons and agencies serving Indian children in the Pacific Northwest. Contact information is provided for tribal, urban Indian and BIA child welfare agencies and for relevant regional, state and local agencies. Indian child welfare contacts within the latter are specified. The geographical area covered by the directory includes Alaska, Washington, Oregon, Idaho and Western Montana. The directory may be ordered, for $4.00, from the Northwest Indian Child Welfare Institute, Box 751, Portland, OR 97207.

Peacemakers Use Tradition to Solve Modern Problems

(continued from page 3)

guaranteed in a closely-knit tribal community often arises. Although it has been difficult to overcome the fear of bias, community members who have used the mediation process have never complained of a lack of impartiality on the part of the mediators. Instead, community members have been impressed to find their neighbors using helpful new listening and problem solving skills.

Other questions the Community Board programs will face as they continue to develop include: Can tribal communities which have small population bases sustain mediation programs that rely nearly exclusively on volunteers? How will these programs find the financial support, although minimal, that they need? How does mediation interface with existing, informal support networks? Will mediation programs find themselves competing with tribal courts for limited resources?

Although the answers to these questions are not yet apparent, the tribes of the Northwest Intertribal Court System clearly believe that tribal members have the desire and capacity to solve their own conflicts in their own way without relying exclusively on outside "experts." Tribes in the Northwest, it is pointed out, traditionally resolved conflicts, not through adversarial processes, but by meeting and talking. The Tribal Community Boards' approach touches the heart of these traditional ways. It supports tribal values, it restores harmony to the community and it builds tribal self-sufficiency.

The Northwest Intertribal Court System and the Community Boards Center for Policy and Training will be presenting a *Tribal Community Boards Program Planning Workshop* for tribal representatives interested in exploring the possibility of starting a mediation program. The three-day workshop will be held in early November in the Seattle area. For more information about the Tribal Community Boards programs or the planning workshop, contact Emily Mansfield or Rusty Kuntze at the Northwest Intertribal Court System, 121-5th Avenue NW, #305, Edmonds, WA 98020. Telephone: (206) 774-5808.

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The Northwest Intertribal Court System (NICS) was founded in 1979 by Indian tribes in western Washington. It is a non-profit corporation governed by representatives from its 15 member tribes. The NICS mission, as defined by its Governing Board is:

> *To assist the member tribes, at their direction, in a manner which recognizes the traditions of those tribes in the development of tribal sovereignty, individual character, and courts which will provide fair, equitable, and uniform justice for all who fall within their jurisdiction.*

NICS assists member tribes in the development of their individual justice systems and provides personnel as needed to operate tribal courts.

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TRIBAL JURISDICTION

In 1854 the first tribal reservations were created in Washington Territory. Tribes were removed from traditionally held lands and fishing areas and were placed on sites selected by the United States Government. Certain rights were reserved by Indians through treaties. Important among these was "the right of taking fish at all usual and accustomed grounds and stations...in common with all the citizens of the territory."

The tribes have vigorously asserted their treaty-reserved fishing rights in recent years. In the U.S. v. Washington court decision of 1979, commonly known as the Boldt decision, Indian treaty rights were affirmed and upheld in the United States Supreme Court. This was a major victory for Indian tribes in their efforts to exercise control over their resources. The case also affirmed the right of the Native Nations to regulate their own members in the exercise of their fishing rights. This power to regulate extends to both off- and on-reservation fishing sites. The Supreme Court's recognition of the tribal right of extra-territorial jurisdiction over fishing areas helped clarify the need for strong tribal courts in western Washington capable of exercising sovereign powers.

The expanding exercise of jurisdiction by Indian tribes in western Washington is not just a result of the Boldt decision, however. It also stems from a greater awareness of the need for tribal self-government. Tribal recognition that reservation resources should be developed for the benefit of tribal members rather than non-Indians has led tribal Governments to develop protective ordinances, regulatory plans, criminal ordinances, juvenile codes, and business regulations.

GROWTH OF NICS

When representatives from tribes throughout western Washington met in 1979 to explore ways of meeting their justice system needs, they realized that there were neither sufficient financial resources nor enough people with the necessary experience to provide separate, non-coordinated justice system services to each tribe. They concluded that the most practical solution was to establish a circuit court system: the Northwest Intertribal Court System. NICS acts as a personnel bank. It started with one full-time judge and now offers prosecutorial, defense, juvenile, code writing, mediation and training services in addition to judicial services. The initial focus of NICS was on direct court-related services. Today, at the tribes' direction, the organization is beginning to devote more of its resources toward training and providing work experience to tribal members and toward alternatives to the formal trial process. This will allow tribal members to provide the justice services directly for their tribes rather than relying exclusively on NICS. At the same time, NICS staff will continue to be available for those tribes still requiring direct services from NICS.

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TRIBAL COURT SERVICES

Judicial Services

NICS has been providing judicial services to member tribes since 1979. NICS Judges hear criminal, fishing, housing, family and commercial cases at the trial level and on appeal. NICS Judges have helped bring regularity and predictability to the judicial process while at the same time remaining sensitive to the individual needs and traditions of each tribe. The fairness and impartiality of NICS has inspired a confidence in the tribal courts which has resulted in a several-fold increase in cases heard at NICS member tribes.

Prosecution Services

NICS Prosecutors work closely with tribal law enforcement officers and tribal officials to ensure adequate representation for the tribe in tribal courts. The services of NICS Prosecutors have helped member tribes comply with the fisheries management obligations required by the Boldt decision. NICS Prosecutors have generated respect for the criminal codes at member tribes and have assisted fisheries committees and housing authorities in carrying out their regulations.

Defense Services

Defense services have also been provided to NICS member tribes since 1979. Defenders are appointed by a tribal Judge to represent individuals charged with crimes and fisheries violations in tribal court. Defenders have also represented parents involved in child custody cases in tribal court. The Defender's services have heightened the awareness of individuals' rights on reservations. NICS Defenders have consistently encouraged their clients to learn more about their tribal courts.

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TECHNICAL ASSISTANCE · TRAINING SERVICES

Indian Child and Family Court Services

NICS began an Indian Child and Family Court Services Project in the Fall of 1980. The project's planning work has been completed and it currently offers the services of a Juvenile Code Writer and Legal Representative for child custody cases involving Indian children in state court. The project has been instrumental in assisting tribes in developing procedures for the handling of juvenile cases and facilitating cooperative relationships between tribal and state officials. The project has been a primary coordinating center for progress in Indian Child Welfare matters at western Washington tribes.

Code Writing Services

In the Spring of 1981, NICS began offering full-time code writing services to improve the effectiveness of member tribes' courts and to assist in the development of alternatives to the formal Anglo-American model of justice. Code Writers work closely with tribal committees in drafting and commenting on ordinances, codes and amendments. They also provide related research and are assisting tribes in codifying tribal laws into uniform tribal codes. NICS Code Writers, with the occasional assistance of Prosecutors and Judges, have worked on procedural rules, commercial ordinances, criminal codes, housing ordinances, fishing laws, juvenile codes and traffic regulations.

The code writing work of NICS has been of special importance to member tribes in raising questions of appropriateness of approaches to justice. The major assumption in providing the service is that the tribes and their members are in the best position to know which laws are needed and will work best in their communities. The Code Writers' role is to assist tribes in identifying their regulatory needs and developing appropriate laws.

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Training Services

The Fall of 1981 saw the beginning of the overall coordination by one person of training services provided by NICS. Prior to that time, NICS court personnel provided training pertinent to their particular functions. NICS Prosecutors offered law enforcement training sessions. This training increased the professionalism of officers' court presentations, handling of evidence and enforcement of tribal ordinances. NICS judicial personnel conducted training sessions for tribal court clerks located on each reservation.

Indian Child and Family Court Services personnel provide training on the Indian Child Welfare Act and the process of intervening in state court child custody proceedings. Intervention training has been instrumental in broadening the knowledge by tribal members of the steps necessary to have tribal interests represented in state court.

The Tribal Advocates Training Program began in early 1982 to interest tribal members in the functioning of their tribal courts and to train them as Tribal Court Advocates. The goal is to develop a tribal bar of trained lay advocates capable of providing representation in tribal courts.

NICS sponsored a four-day training session in mediation skills in early 1982. The development of mediation and conciliation skills among tribal members is crucial to the tribes' ability to resolve disputes informally, without the expenses of the formal Anglo-American adversarial process.

Over seventy-five tribal members have received NICS-sponsored training. Tribal members are learning the skills needed to play key roles in tribal justice and to affect the development of tribal justice systems.

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NICS has helped establish and stabilize court structures at a critical time for the exercise of tribal rights in western Washington. Under the direction of the NICS Board of Directors, the recognition of the importance of autonomous justice systems on reservations has been broadened. NICS' provision of direct court services to member tribes has allowed a number of the tribes to conduct their own courts where previously they had not been able to do so. Tribal justice systems are in their formative stages, so it is important that Indian people develop their own justice systems to fit their own needs. With the help of the Northwest Intertribal Court System, Indian tribes in western Washington are on their way to achieving a major goal of tribal self determination: individual tribal justice systems developed for their people, by their people.

NORTHWEST INTERTRIBAL COURT SYSTEM
121 5TH Ave. N.
Edmonds, WA 98020
206/774-5808

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Mr. LOWRY. Thank you, Ms. Lopeman.
George will be back in just a minute.
Woody Verzola. You can pass down the microphone.

STATEMENT OF WOODY VERZOLA, DIRECTOR, INDIAN STREET YOUTH PROGRAM, SEATTLE, WA

Mr. VERZOLA. Welcome to our place, Senator Miller.

I'm here today to talk about the downtown street youth program and the struggle in the growth of our program, and why it is needed. And needed in other parts of our country.

I myself was born and raised in the housing project, had a black identity, and middle-American spiritual understanding.

Anyway, when I first started working with the youth program back in 1972—in fact, I think Marilyn Bentz was the first signee of our proposal in the first youth program—anyway, in the 13 years that we've been surviving downtown Seattle, we've experienced a lot of suffering and pain with our families and children. We've been slowly developing the type of programs in order to impact our youth. It's been very difficult because I myself have been learning along the way.

The things that we found when we started our first youth program was that there were very few programs available for urban kids. Today we've built ourselves to a level that's probably at the level where we're now able to develop programs that are sensitive to our young people.

We have a basic skills teacher. The primary focus of our program is to recruit our street kids, our Indian street kids, and get them back into a school setting. And our basic skilled teacher, he tests them to find out what they need, and then work on—work with them from there.

And we run across a lot of urban kids that haven't been in school for a couple years. And they've developed the kinds of lifestyle and pattern that's revolved around their environment, which is the downtown area. So they have no idea what their cultural identity is all about.

The parents that we work with are parents that are not concerned about a number of things but survival, every day, where I eat, where I sleep, how do I feed my children. And the result of this, we work with these kids, and the last generation of kids having kids, urban kids, and what kinds of directions, and what kinds of motivations, and educational opportunities that they have, when they're not brought up in a sensitivity that they understand.

In our program we also have a juvenile advocacy person. In 1972 there were—no one down there to talk with our kids to let them know what's available. A lot of our Indian kids become institutionalized.

I worked with kids 13 years ago that today are institutionalized, that are drug addicts, or alcoholics. And as we continue to grow over the years we learn to develop our program that we have today. Our advocacy down at the juvenile court is able to go in and make kids feel comfortable, and let them know what's available for them, and to give them other options than drugs and alcohol and street life. Because a lot of the kids that we work with in the juve-

nile justice system are involved in prostitution, drugs, suicide, the things that the other people have been talking about. And it's real difficult when you have a generation of urban kids that have no place to turn.

So that's why our program, as we've been growing in the last 13—we've been able to train our staff, and to impact our young people.

It's kind of funny because in the last couple of years there's been a big thing on street youth with the movie, "Streetwise" and all these things that just happened to come out lately. This has been a way of life for our children.

And we have looked at, and tried to develop, a holistic approach in dealing with our urban kids. We have probably the only certified drug and alcohol counselor on our staff that deals specifically with urban Indian youth. And, in fact, he's put in treatment five or six kids from our program, and that's never been done.

So over the years we've been making mistakes and building. And it's important that our kids have an understanding of what's happening to them, and what's happened to their parents. And if we don't have our downtown program—and I think we need other downtown programs in other parts of the country so that the kids that are attracted to the downtown area because of the prostitution, the drug selling, that those are the kinds of lifestyles they learn in order to survive. But you get a generation of kids like that what kind of future do our people have.

So what we do in our program downtown, we have developed, or are going to develop—the things that I'm talking about are in my own growth of understanding my own identity, and how do I work with the kids that I work with, because I myself went through the many phases of my life not understanding a whole lot, particularly of my native culture.

So I just recently had the experience of going into a sweat lodge, and to understand a traditional way to pray, how to get in touch with the basic things. And it has taken me 40 years just to get to that level to understand that.

So here in the city, and in our program, we're trying to pave the way for our young people to even reach the level that I am at as far as understanding our culture. And we are—we do have a sweat lodge down here that we just built in the last couple months, we're going to build more, because it's important that our kids understand what they're about so they can endure some of the problems that you're listening to.

The traditional method is something that our young people have gotten away from, not by their own doing. But it's a place that they can turn to, and that they can learn to develop themselves. And in our program downtown even in the survival of 13 years, it's still going to be a struggle. And my thoughts over the years in trying to impact our young people is where are they going to go in the city that can offer them these kinds of things when our funding keeps dropping, there's nothing available.

And what I've seen is we've become part of the problem. As we develop and we grow we get a year of funding, or two years of funding. The kids begin to identify with our program. And it's not easy to get our young people to identify with our program. It takes

years. It takes years of undoing of the experiences that they've experienced.

So what we try to do is to develop a program that this foundation here is all about. We need long-term programs, and a place that our young people can identify with, go to, and share the kinds of traditional things that they need to understand in order for them to even understand what the mainstream is all about. And they need to draw that strength in that environment, in their own environment, in their traditional way of understanding things.

I had a speech kind of written down, but in listening, in hearing, and seeing what I've experienced over the years, I've got to talk from my heart. It may not come together as it is. Over the years I know that our program has grown. We are beginning to get the professional people in our Indian country that have the sensitivity and understand our struggle. And having these professionals work with our program, that's the only way that we can develop ourselves because sometimes in the past when we referred our children to non-Indian programs their lack of sensitivity to understand these young people. As a result they won't even go.

So in 13 years I think we've made tremendous progress in our program. And I only hope that in the future for our children that we have a place like the Daybreak Star, or a place our urban kids can come to to learn about their traditional values, and then to go back home, or to seek out their—what their family is all about.

Anyway, what I'd like to do is to have a couple of young people here that I've worked with, and they'd like to talk about the programs that have helped them.

[Material submitted by Woody Verzola follows:]

INDIAN STREET YOUTH SURVEY: RESULTS AND ANALYSIS

RESULTS OF INDIAN STREET YOUTH SURVEY

Of 110 completed survey instruments, 56 were completed by males and 54 by females. Respondents' ages varied from 10 to 19, with 77% of respondents falling into the 14-18 or high school age group. Survey Project staff estimate that the effort reached from 25% to 40% of the entire Indian street youth population now frequently the downtown Seattle streets, yielding estimates of the total Indian street population ranging from 275 to 450 youths. The most striking characteristics of the Seattle Indian street youth population are reported below.

CHARACTERISTICS OF SEATTLE INDIAN STREET YOUTH POPULATION

Average age of surveyed youths was 15.9 years; only 12% of youths were living with both parents; 55% of youths were not living with either parent; of these youths, most gave the reasons that parents were separated or divorced, or parents had asked them to leave home; 69% of youths had spent over half of their lives in an urban environment; youths averaged a 3.5 year involvement in street life; 23% of youths sleep in different places from night to night; 33% of youths do not rely on family or relatives for any form of support, material or emotional; and 35% are not currently in any educational program.

Of this 35% (38 respondents), the following reasons were given for dropping out of school (more than one response was allowed): too far behind in work (47%); poor grades (42%); expelled (33%); drugs/alcohol (34%); school not valued (33%); school work too difficult (28%).

And 74% reported the belief that education could help them obtain a good job and take care of themselves better.

The following suggestions were offered for improving educational situations (more than one response was allowed): teachers who care about student problems (56%); learning that helps in getting a job (54%); learning about Indian ways (54%); Indian teachers (46%); and teachers who control classroom (42%).

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Of those youths currently in school: 46% report "some trouble" with classes, 33% do not attend regularly, 41% feel teaching staff "doesn't care" about them; 61% of respondents smoke marijuana weekly or more often; 87% report drinking beer or wine; 52% report drinking hard liquor; 29% report consuming 14 or more drinks weekly; 84% of respondents would like a job now; 68% are interested in job training; 76% would like information about job training; 85% would attend job training classes; 92% would like counseling about job training; and 88% would like employment counseling.

Asked about income sources, 65 responses specified illegal means or criminal acts: 61% of respondents have been arrested at least once; and 45% have been in Juvenile Detention at least once.

When asked about behavior in problem situations, the following responses were given (more than one response allowed): talk to friends of same age (71); talk to older friends (64); talk to parents (57); talk to relatives (57); drink alcohol/take drugs (50); and talk to one one (16).

When asked about chronic worries, the following responses were given (more than one response allowed): Going to prison/Juvenile Detention (43); not getting a job (41); not enough money (40); no education (24); getting killed (17); getting raped (17); and dying (15).

When asked what would help most right now, the following responses were given (more than one response allowed): a job/good job (36); money (29); and being self-supporting (12).

When asked where they would like to be a year from now, the following responses were given (more than one response allowed): In a good job/vocational program (143); in a GED program/school/college (124); in own apartment/home (70); home with parents/relatives (49); on own reservation (27); married, living with husband/wife (12); don't know (8); don't care (3); and on the streets (2).

ANALYSIS OF INDIAN STREET YOUTH SURVEY RESULTS

It is clear that the summary of Survey results selected and reported above support the following interpretive conclusions:

(1) Street youth responses to several related items present strong evidence of widespread disintegration in the functioning of their families, as a source of both material and emotional support;

(2) Responses strongly suggest that the Indian Street Youth Community has largely replaced families as a source of mutual emotional support for its members;

(3) Responses confirm that many school dropouts (35%), and those reporting irregular attendance and troubles in school with a high risk of becoming dropouts (33%/46%) are drawn to street life;

(4) Responses convey a strong indication that street life participation is firmly associated with high levels of alcohol and substance abuse, illegal activity to provide needed living income, Juvenile Court and Juvenile Detention involvement, almost universal unemployment, and considerable anxiety about all these;

(5) Responses strongly indicate serious failure on the part of Seattle School District regular and alternative programs and staff to deal adequately with the most acute cultural, situational, and emotional problems of Indian youths of junior high and high school age.

It is additionally clear, however, that the following positive conclusions may also be drawn from Survey results:

(1) Street youth responses clearly convey a striking rejection of street life as a comforting, practical, or viable lifestyle with beneficial outcomes; only 2 respondents reported a desire to be "on the streets" in a year's time, though the average street life involvement was 3.5 years;

(2) Reponses indicated strong interest in further education, educational counseling, job training, job counseling and orientation, good jobs, and increased income opportunities;

(3) Responses indicated a strong belief (74%) in education as a key to desired employment situations and comfortable self-sufficiency;

(4) Responses strongly expressed a desire for several specific improvements in educational opportunites, including: Indian teachers who are responsive to students' problems, learning strategies that are responsive to Indian cultural heritage and values; education with practical applications to improved employment and earning opportunies; and teachers who assert and maintain control of classroom activities, improving order and security of students.

(5) Responses indicated a heavy reliance on peer group members for emotional support in times of personal difficulty.

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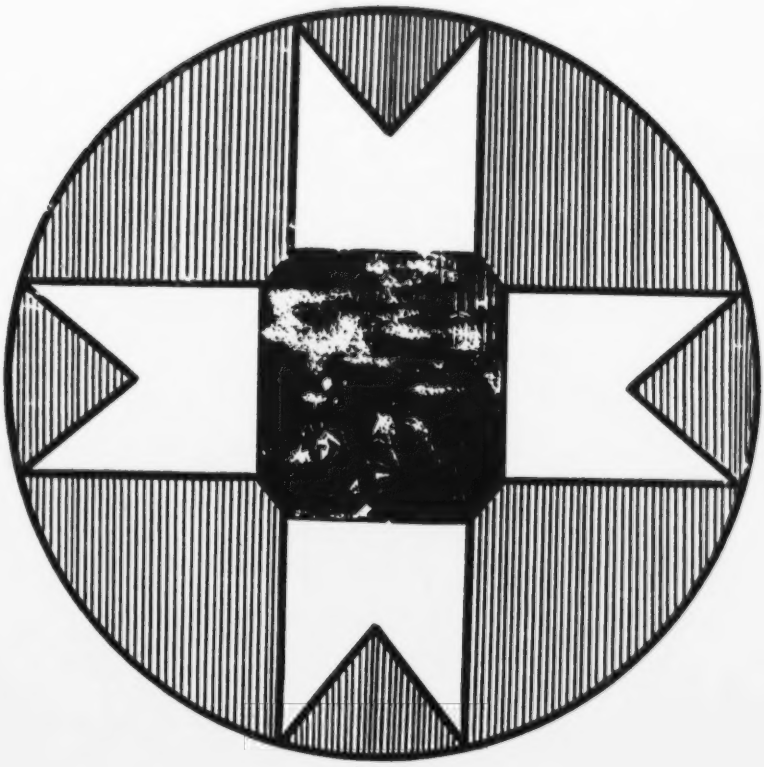

United Indians of All Tribes Foundation

INDIAN STREET YOUTH COMMUNITY CLASSROOM PROJECT

1308 Second Avenue
Seattle, Washington 98101
(206) 343-3111

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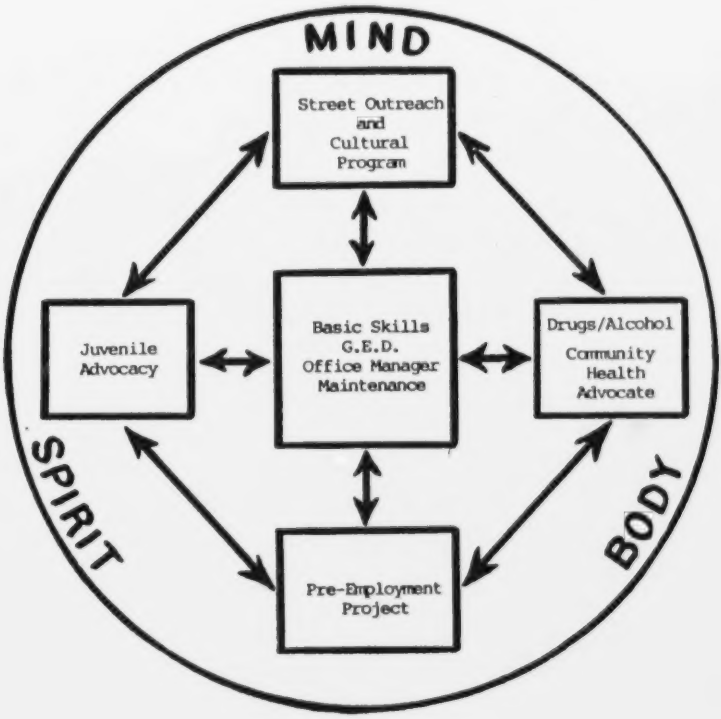
STREET YOUTH STAFF

WOODY VERZOLA - Program Coordinator
MARTIN L. PARKER - Educational Instructor
T. ARLENE ANDERSON - Office Manager
RICHARD ADAMS - Staff Assistant
HENRY DE LACRUZ - Juvenile Advocate
LORRAINE BRAVE - Alcohol/Drug Therapist
JOSEPH McCULLOUGH - Employment Coordinator
JOHN BIGELOW - Street Outreach/Cultural
PAM KISSINGER - Community Health Advocate *
TINA MORAN - Student Placement *

(* Volunteer)

STAFF TEAM INTER-ACTION CHART

"Holistic Approach"



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BASIC SKILLS/G.E.D. PROGRAM

Goal: To lower the dropout rate among Seattle Indian street youths, ages 14-18, through the improvement of educational opportunities, using culturally relevant skills instruction and problem-centered counseling techniques.

Objectives:

1. 75 dropout Indian street youths will enroll in Community Classroom increasing basic skills in five (5) functional areas (Reading Recognition, Reading Comprehension, Spelling, Mathematics, and General Information) at the rate of one (1) grade level per academic quarter.

2. 75 dropout Indian street youths will define immediate and long-term academic, employment, and career goals through participation in classroom vocational orientation instruction and skill-building exercises.

3. 75 dropout Indian street youths will demonstrate growth in self-esteem and self-reliance as measured by abilities to set academic, vocational, and counseling goals, manage time and Community Classroom resources to accomplish goals, keep project commitments, and follow through on planned learning activities.

4. Adult family members of 75 Indian street youths will demonstrate increased support of youths and Project goals and objectives as a result of monthly informational and counseling meetings with Project staff.

5. 50 dropout Indian street youths will re-enroll in public school, enroll in a G.E.D. or vocational training program, or enter full-time employment by the end of the Project year.

MAINTENANCE

The Staff Assistant receives direction from and provides assistance to the Community Classroom Project's outreach staff and other staff members as assigned.

His specific responsibilities are: Sweeps and mops the floors and takes out the garbage, cleans the restrooms on a daily basis, answers the telephones and takes messages, runs errands, fills out "Intake Forms" on minority youth who enter the Street Youth Program, prepares a daily lunch for the Program's students, monitors the kitchen facilities, video programs, and youth in the Program.

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JUVENILE ADVOCACY & DRUGS/ALCOHOL

The minority street youth program will provide a continuum of educational, nutritional, drug and alcohol, legal, group and individual counseling, recreation, and outreach services to minority youth in Seattle between the ages of 13-17, who use "street life" as a major form of social and economical survival. Medical/dental and employment counseling and placement services are provided by referral to other agencies. Predominately, Indian youth will receive basic skills/G.E.D. instructional services through a federally funded, Indian specific program. Minority youth will receive outreach, legal, drug and alcohol, individual and group counseling, and recreational services provided by a staff of professional workers at the facility located at 1308 Second Avenue.

The purpose of this program is to foster individual and group changes in attitudes, values, and behavior leading to cessation of illegal and abusive activities and toward positive re-integration in family, school and neighborhood communities. Program services are designed to offer supportive opportunities for youth to re-enter public school, to enter and complete G.E.D. or vocational training, or to obtain employment with career potential. The program will assist youth to alter patterns of dependency and destructiveness and to establish long-term life adjustments of lasting value for youth, their families, and for their respective communities.

Alcohol & Drug Therapist:

The alcohol & drug therapist, a full-time position, will be stationed at the UIATF minority youth program facility. This staff position will make informational/preventive drug and alcohol presentations to schools, youth, and conference groups in the Puget Sound Area. The position will render case work assistance, provide information and resource information, referral assistance for probation and diversion cases, mobilize parental support through outreach information and referrals. The position will participate in a group drug and alcohol education and counseling program under the supervision of a certified drug and alcohol counselor. Responsibilities include the following:

1. Outreach/information presentations - provide group presentations on substance abuse to community groups, schools, Indian reservations, and youth clubs.

2. Information/resource referral and outreach to parents and guardians - respond to referrals from schools, parents, and community groups; provide information on resources and services available for substance abuse.

3. Court-related assistance - casework assistance, probation assistance, diversion planning and supervision information, advocacy for case plans.

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Alcohol & Drug Therapist (continued):

4. Small group drug and alcohol education and counseling.

5. Referral to substance abuse support groups and liaison with those groups to facilitate appropriate services to minority youth.

Juvenile Advocate (Liaison/Outreach):

This full-time position provides that 50 percent of the time of the juvenile advocate will be stationed at the County Youth Services Facility. The remaining 50 percent of the hours are to be provided at the street youth facility.

The juvenile advocate will receive caseworker, court, and probationary case referrals, provide information and resource referral services to youth and their parents. The position will provide for casework fact-finding assistance to court staff, in court advocacy for youth, probation/diversion program planning, and supervisory services as requested. Specific responsibilities include the following:

1. Juvenile justice information and referrals - inform youth of court procedures and options, facilitate youth relationships with court staff, prepare youth to interact appropriately in the court system.

2. Parental/guardian legal information - provide referral and assistant services to families and youth consistent with services described in (1) above.

3. Casework fact-finding assistance - provide court staff with supplemental information on client need and family history relative to case planning, arrange for substance abuse assessment.

4. Advocacy for youth in court - arrange for individual and community support to individual youth.

5. Probation supervision assistance - facilitate compliance with probation terms and appointments.

6. Diversion program planning and supervision assistance - facilitate diversion plans, supervision assistance to diversion agreements involving youth.

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STREET YOUTH EMPLOYMENT PROJECT

The primary goal of this project is to reduce the number of minority youth living on the streets in Downtown Seattle by guiding them into educational programs and jobs out of which they can build more stable living environments. The educational approach, therapy techniques, and overall strategy are based on assumptions derived from staff experience and the findings of the "Seattle Indian Street Youth Survey", which was conducted in 1982, in association with the University of Washington and the National Science Foundation. Some of these assumptions are:

1. That street youth have drifted into the street community, not by free choice of alternative lifestyles, but because of repeated failures of social support systems (families, teachers, school programs, and community service providers) that seem to work for well-adjusted youth who do well in school;

2. That the values shared among members of the street community are self-destructive, anti-social, and in conflict with authority figures; that these values isolate the youth from their cultures, from educational and occupational training programs, and from the workplace as well; that these values inhibit the youth from becoming a productive adult and a responsible parent;

3. That drug and alcohol abuse among street youth is a serious problem that must be addressed if any program is to be successful;

4. That street youth really don't want to live on the street and that they see education and employment as the keys to self-sufficiency; and

5. That street youth will respond to a program that addresses their particular educational, cultural, emotional and practical needs.

Eligibility:

All participants enrolled in this project must meet the following eligibility requirements:

1. Resident of the City of Seattle.

2. Age: 16-21 years old.

3. Low-income, as defined by Department of Labor Family Income Guidelines, and other requirements as defined by JTPA and the local Private Industry Council.

4. To have been involved with street activities for at least two (2) months.

5. To have expressed a willingness to leave street life and a commitment to participate in training and job placement activities.

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STREET OUTREACH

Program Goal:

The goal of the Minority Outreach Program (M.O.P.) is to return street and other troubled youth to a safe, supportive environment in their neighborhoods, and to channel the potentially negative activities of some ethnic minority youth into positive, socially acceptable behaviors.

Program Description:

This program will provide long-term service intervention including street outreach, assessment, counseling, information, assistance, referral, advocacy, service coordination, and follow-up to troubled youth who are on, or at-risk of being on the "streets" full-time.

The Atlantic Street Center will administer and coordinate the project, and will subcontract with five community-based agencies to provide services to street youth. El Centro de la Raza, the Central Area Motivation Program (CAMP), Filipino Youth Activities (FYA), the United Indians of All Tribes Foundation (UIATF), and the Samoan Pacific Islander Association (SPIA), will provide culturally and linguistically appropriate outreach and case management to ensure that troubled youth obtain the services they need to leave street life.

Eligibility Criteria:

Services will be targeted to low-income youth, aged 12-24, who have at least three (3) of the following characteristics:

1. Are spending a significant portion of time on the streets,
2. Are engaged in illegal activities or have an arrest record,
3. Are experiencing problems in school such as truancy or low academic achievement,
4. Have dropped out of or been suspended from school,
5. Are unemployed and not in school,
6. Have a history of alcohol or substance abuse,
7. Are active in friendship groups which are in a conflict mode,
8. Have run away from home or are homeless, or
9. Are having serious emotional or mental health problems.

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CULTURAL PROGRAM

"The belief of the Indian is that we are one with nature, and that every action that occurs has to be in harmony with other beings of nature."

Program Goal:

The goal of the program is to have available many varied traditional Native American Elders, spiritual ceremonies, and cultural activities to create an alternative support circle for youth to rely on when other base support systems fail.

Objectives:

1. To have "sweats" bi-monthly,

2. To have a structured curriculum of cultural classes to give a basic understanding of cultural beliefs and values. The program will be covering areas like:

-- sweats	-- pipe ceremony
-- vision quest	-- sundance
-- drumming	-- singing & songs
-- legends	-- Native American Church
-- arts & crafts	-- sage ceremony.

3. Identify means to integrate traditional values into positive constructive behaviors within the mainstream society.

Curriculum:

Culture Classes: Process of teaching traditional and cultural events in a structured, demonstrational setting initially, then move to participatory activities.

-- Utilizing staff background & knowledge as well as elders from the community,

-- Searching for ways to assess true cultural value and relevance, and

-- Ways to utilize the best of both worlds.

Ceremonies:

Sweatlodge: One of the most significant vehicles of being in harmony with nature is the use of the sweatlodge, sometimes called the purification ceremony. This is the only ceremony where two enemies enter the lodge and emerge brothers. The lodge helps to bring three aspects of self: body, mind, and spirit into a whole being.

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Ceremonies:

Sweatlodge: · (continued)

Our elders say this is the symbolism behind braiding our hair. The natural path is an ongoing process of identifying the needs of these three things, and bringing them together to form a beautiful, whole being.

Talking Circle: "The circle of two medicines." An alternative dynamic in group therapy. Incorporates relevant traditional values with conventional group techniques in a more comfortable and nurturing setting.

Pipe Ceremony: An ancient spiritual vehicle used for identifying individual paths and tie into the universal truths.

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United Indians of All Tribes Foundation
INDIAN STREET YOUTH COMMUNITY CLASSROOM PROJECT

C L A S S S C H E D U L E

TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:30 to 12:00	-- Basic Skills/G.E.D. Classes -- Pre-Employment Classes -- Alcohol/drug counseling, evaluation & referral -- Juvenile Court advocacy (at Youth Services) -- Street outreach/cultural program development	-- "Talking Circle" 11-12:00	-- Film Day	-- Guest Speakers "cultural" "history" "health"	-- Field Trips
12:00 to 1:00 p.m.	L U N C H				
1:00 to 2:30	-- Basic Skills/G.E.D. -- Alcohol/Drug -- Juvenile Outreach -- Street Outreach -- Community Service Hours Program -- Staff Meeting	-- Community Health Advocate (Nurse)	-- Case Staffing	-- Community Health Advocate (Nurse)	
2:30 to 5:00	-- DROP IN PROGRAM -- Cultural-Related Youth Support Groups -- Drumming & Singing	-- Physical Fitness/ Self-Positive Image Classes	-- Videos	-- Physical Fitness/ Self-Positive Image Classes	-- Sweatlodge Program Developing

Mr. LOWRY. Would you give us your name, please, for the recorder.

Ms. HAYWARD. My name is Janelle Hayward. I go to school at Indian Heritage High School. I'm working on getting my GED. They have a day care there for me so I can get my GED so my kids can be watched there.

And I've grown up with an alcohol family. I've had —I'm going on my third kid because my mother was never there for me. And the Indians treat you—helped me out a lot. And I get my health care at the Seattle Indian Health Board, my prenatal care, and—I don't know what to say.

Chairman MILLER. I think you said it very well.

Thank you.

Ms. ICE. My name is Lea Ice.

Chairman MILLER. I do not think they can hear you, Lea. Don't be bashful now.

Ms. ICE. We're really embarrassed because we don't even know what to say.

But what do you want us to talk about? The program that has helped us out, and like I started going to Indian Heritage High School because I got kicked out of public schools, and I started going there, and I started learning about my Indian culture. And from there I started going down to the Street Youth Program where I got counseling and stuff like that.

Now I'm going to go on my first baby, and I'm going to get my medical down at the Indian Health Board. Down there you don't have to pay money if you can't afford it. And they have dental services too if you have something wrong with your teeth. You do not have to worry about paying if you do not have the money.

And at the Street Youth Program, they found my boyfriend a job and stuff. We are just trying to make it, and these little programs just make it easier.

That's all.

Chairman MILLER. Thank you. Does the street program refer you to prenatal care?

Ms. ICE. Yes.

Chairman MILLER. How did you find out about the Indian Health Board?

Ms. ICE. From the Indian Street Youth Program.

Chairman MILLER. Janelle, with your first two children, did you have prenatal care at the Indian Health Board?

Ms. HAYWARD. Yes.

Chairman MILLER. How did you find out about it in that case?

Ms. HAYWARD. From the Seattle Indian Center. My kids were going—I have been—they were in and out of, settling in a foster home, and they have been telling me what to do and where to go.

Chairman MILLER. Thank you.

Mr. Burke, you were talking about, again, this issue has come up a couple of times this morning, on before you can place an Indian child in a foster home, that home must be licensed by the State before you can see State reimbursement for that cost, is that correct?

Mr. BURKE. No. It's—we have concurrent jurisdiction with the tribe, with the State. And we never see any of that money. It all

funnels down through the State, and our tribal courts do have the hearings, and whatever is necessary, to make the placement and then what happens then is that the—when they are referred to the state then the state sort of redoes the whole thing again according to the state rules and regulations.

So really our courts don't have too much say as far as the placement of the child is concerned.

Chairman MILLER. I'm trying to determine wheather if the Indian court makes a determination to place a child with an extended family, for all intents and purposes making that child a foster child in that family, wheather there is any state reimbursement for that placement. Is there none?

Mr. BURKE. That is correct.

Chairman MILLER. Now, if the Indian court made a determination with the same child to place them in a state licensed home, or went through the procedure so the child ended up in a state licensed home, there would be state reimbursement for that child?

Mr. BURKE. Yes, sir.

Chairman MILLER. So the State is not going to take your word for it that the extended family placement in an unlicensed home was a good decision for the benefit of that child. And by not taking your word for it, they are not going to fund it. If there was any funding for that family to help take care of that child, it would have to come out of the tribal resources. Is that right?

Mr. BURKE. That is correct.

Chairman MILLER. Or would it come out of Indian child welfare money? No.

Mr. BURKE. No.

Chairman MILLER. It could, I guess?

Mr. BURKE. Yes, it could come out of Indian child welfare money, yes.

Chairman MILLER. But you're burning up most of your child welfare money in terms of administering the program as opposed to paying for placement, right?

Mr. BURKE. Right. And to begin with, we don't have any. [Laughter.]

Chairman MILLER. That makes it even harder.

So, You're forced under. Regarding child welfare moneys, you're forced to run the gauntlet twice. Your court makes a determination, and then you turn it over to the State authorities, in those cases they make a new determination, in order to get reimbursement?

Mr. BURKE. Yes. And in the meantime, the child is in limbo, you see.

Chairman MILLER. If the tribal council, or the tribal court, make a determination that this home would be a safe and healthy and sanitary place for a child to be put during the time of crisis for whatever period of time, they're not going to get any funding to help out with that decision because that was made within the Indian system, and not the State system, is that right?

Ms. HAYWARD. Yes, that's right.

Mr. BURKE. In the State of Oregon we have, I think, and I'm not all that sure, but that it's called a Multiple Impact Theory. A group, or family model home. And this is working as far as the

nonreservation people are concerned. It's working. And I think that that same concept would work on the reservation, that multiple impact theory would work on the reservation if it were peculiar to Indian people. And so that the courts could make—the Indian courts, the tribal courts, could make that determination and send that particular—that home.

Chairman MILLER. One of the things that bothers me about this, and I spent a good portion of my public life trying to work for permanency placement of young children, and decent placement of young children, is one of the things that becomes clear after you spend some time in this field, that is, you need a whole assortment of options in terms of the placement of different kinds of children in different situations because of their individual needs and so forth.

And what's being suggested here is that some of the options that an Indian tribe would like to take advantage of within their own community, to work through some of these problems for the young people and for the families that are also in crises, some of those efforts are thwarted because you then have to marry into the State-run system for any kind of reimbursement. And all States, properly so, make a determination that there's rules and regulations and standards before you can be licensed, and before you can receive placement, and all that. But that may not be consistent with the community or the traditions of the culture of a reservation, or Indian community.

Is that accurate? I'm just sorting through this.

Mr. BURKE. Well, I'd like to make this statement before we go on. That is, I too was early on the hearings someone mentioned that I was in the error where it wasn't good to be Indian. And then—now I'm living in there where it's OK to be Indian. But when it wasn't good to be Indian those people who are in this situation that these girls are in, they allowed their children to be adopted out. And now in the tribal government I am also on the enrollment committee, and those kids from that time are coming back, and they are in their twenties and thirties, and along in there, and they're coming back and saying "Hey, I'm Indian and I want to come back and be enrolled on this reservation."

And so adoption, you see, even though it were done supposedly successfully, up to a point it just isn't working there either.

Chairman MILLER. Tessie?

Ms. WILLIAMS. Indian child welfare has been about 8 years, or 9 years now, and at the time Indian child welfare came on, as a community health representative for our tribal people we worked hand-in-hand with our children with the State programs. When we had children that were having problems, I was a foster parent, and I took in children, and we worked together, where if it was an emergency situation I took the child for the night. If the situation was where the mother was going to be incarcerated, I had the child maybe a month to 2 months. And we worked right along with the State at that time.

And then Indian child welfare came into play and they changed the situation all around. The State didn't know whether they could give us funding to do what they did before because it was now an Indian program. And we took over this responsibility, and so they

say, "Now you get your own money and you take care of your own children." This is the way it turned out to be.

So, fortunately, some of the tribes were able to get the grants and the funding for the Indian Child Welfare Act, whereas, our tribe, because we worked so good with the states, did not receive the fundings. And now this is where we're at in this situation, where we do not have the funding, we do not have the grants, and now the state is telling— they've made up their jurisdiction, and whatever they need, and they're telling us—still telling us, you know, you have the Indian Child Welfare to fall back on, but there's no funding anymore.

Does that help you?

Chairman MILLER. It helps me; I don't think it helps you. But I think that's what Dr. Bentz was saying. We've made a determination, I think the Indian nation has made a determination too, that they want a sense of self-determination, they want control over these programs, but, and—this is my first impression after only a couple of days, Congress has almost set up a situation that somebody said in the previous panel, that's guaranteed to fail.

But I also see your point that self-determination is now being used sort of against the tribes, because the suggestion is you have your own law. But, the law is basically empty of funding given a national need.

Ms. WILLIAMS. That's true.

Chairman MILLER. It is being used as a rationale for the States to decide, title 20 doesn't flow to you, or to decide, that if you can't comply and jump the hurdles required to license foster care and they're having their own troubles in placement without taking on the Indian placements that all of a sudden you find yourself at the back of the line again.

It seems to me some decision has got to be made about whether we're going to take something like the Indian Child Welfare Act and fully fund it, or pass through entitlement, funds under some other formula as we send money to States, and let you use that. But you can't be deprived of both sources and at the same time be expected to take control of these programs and solve some of these problems.

We're going to give people in the audience a chance in a second here, OK? All right.

Mr. LOWRY. Could I also add an ignored comment of mine.

But also within the State here, in the State of Washington, and as in the State of Oregon, in which court case after court case is upheld—that the legal relationship is between the Federal Government and the Indian tribes.

We also have all of that sitting here with us, as you're well aware of, the baloney decisions, and many other decisions.

Chairman MILLER. No, I'm interested in the formula that counts Indians for the purposes of receiving money but doesn't count them for the purposes of distributing the money.

And if the obligation is to the Federal Government, it runs between the two of them, there's got to be some system of passthrough.

Go ahead.

Mr. LOWRY. You just made the point.

Chairman MILLER. Woody, how many young people are involved in the street program?

Mr. VERZOLA. We average anywhere from 15 to 75 kids a day.

Now, last year we averaged close to even 100 and they were not Indian kids. It was a mixed minority group because we have the only minority program in the downtown area. We are attracting Samoans, blacks, Asians, Chicanos—most every minority, because we have a program that was comfortable to them. We even had to close our doors because we just could not staff that many kids.

And we see the need—in fact, the other programs see how we are developing our program and the need for them to develop a program similar to ours. But we do get a multitude of different kids from tribes, from ethnic backgrounds, but they have been drawn to our program.

In fact, the city is even—looked to our program as a pilot program in dealing with minority children.

Chairman MILLER. I assume that not all of the Indian children that come to the program are Seattle-based, right?

Mr. VERZOLA. No.

Chairman MILLER. Some runaways?

Mr. VERZOLA. Right.

Chairman MILLER. I am sorry. I missed your testimony.

Mr. VERZOLA. Yeah, we get kids all the way back from Montana, to Canada, to wherever. And——

Chairman MILLER. Drawn to the city, and then you end up with them?

Mr. VERZOLA. Right. Well, when kids run away the only thing they can turn to is prostitution, or drug dealing, or illegal activities like breaking into homes, and so our services downtown have available the kinds of services that they need, the legal aspect of our program, the educational aspect of our program, and we have the drug and alcohol component, and the employment program that I forgot to mention.

In fact, we did a survey four years ago and we talked on those issues, and we interviewed 110 Indian street youth, and I have that information available, if you're interested in seeing it.

Chairman MILLER. Mike?

Mr. LOWRY. Thank you, Mr. Chairman.

Woody, what's the funding source for the Seattle Indian Youth Program?

Mr. VERZOLA. We receive $116,000 from title IV, Indian education money. And we received for the first time from the city $34,000 for outreach workers. And we received $30,000 from the State, and it's the first time the State has supported our program. And we're looking to the city and the State to fund our program in the future because funding is really drying up, and it needs to develop the kinds of programs that I talked about, is so important, because if the kids have no place to turn to then you're going to continue to have generations of problems that we've been facing over the years.

One of the things I've seen in the 13 years of working downtown is that the kids are getting younger, and they're getting involved in more serious crimes, and that there's a tremendous need for a shelter for our Indian kids in the downtown area because a lot of our

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kids and families, even though there are programs and resources available to them, they'll not go there. They feel more comfortable in being around Indians because that's what they are. And that's what we need to develop more.

Mr. LOWRY. What is a way by which you developed shelter for that need? Is there a plan now?

Mr. VERZOLA. Well, as we continued to develop in the areas that we have, that is probably the next step, is to develop—maybe Bernie is more informed about it.

Mr. WHITEBEAR. Thank you, Congressman.

We do have a request to the administration for native Americans, one-third of that program for the coming year, if it is funded will give us the beginning of a street youth shelter in downtown Seattle if that gets funded.

Mr. LOWRY. This is Bernie Whitebear, as the recorder knows.

How many people would that facilitate?

Mr. WHITEBEAR. We have a need that's much greater than what that facility will permit. We're talking in the neighborhood of anywhere from 25 to 35 on an emergency basis that——

Mr. LOWRY. Is this the dormitory type.

Mr. WHITEBEAR. It will be overnight. It will provide for 24 hour counseling, and it's going to be a shelter that provides an enclave for those not only looking to not have the facility for the evening, but those that are trying to escape the abuse at home, those indigent street kids that don't have a capability of plugging into any of the other centers.

The need—and sometimes it's going to be greater than that, but at least that gives us a capability.

Now, we are right now illegally housing street kids in a facility that, first of all, the Health Department would not approve for it, and the owner has not authorized it for that use. But it is a need that the program is attempting to meet, but it can only do a minimal service in that kind of an atmosphere.

Mr. LOWRY. Bernie, would this be at the present site?

Mr. WHITEBEAR. No, the present site is on a month-by-month lease with a 6-month notification of vacation. That facility will have to be searched out and located. We think that there are some sites that are open and acceptable to some of the clientele of Woody's program, and we're continually looking for new locations. And part of the problem is that a lot of downtown Seattle is up for development.

So a lot of the previous uses are closing as to access, and I think that that's certainly going to cause the acquisition—facility acquisition to increase, and hopefully if that program does get funded, at least it's the foot in the door that we need to continue trying to provide this type of facility for Woody's program.

But to answer that, surely we're looking anywhere from 25 to 35 as the initial start.

Mr. LOWRY. Thank you, Woody. I think you do an excellent job with very limited funds.

Sal, if the figures that were in your testimony, are heart rendering to anybody. What really should we the Congress be doing to improve the overall environment that causes that problem?

Mr. SAHME. Well, I think from a broad perspective that you represent, principally in our community the most important aspect of our situation, is one of not only having the community directly impacted, in this situation Warm Springs, recognize that we have a problem, but also come to grips with the recognition and ownership of accepting the fact that we can't solve the problem without help.

Continually, as you're aware, funding is always a critical issue to this, but I think even equal to that, is not only ownership of the problem and recognition but as well, ownership to the solution and the ability, or being allowed funding then to be able to pursue, plan, and implement long-term programs.

I think throughout the morning and this afternoon you heard people speak to the effectiveness being around—long-term effectiveness focused at education and prevention. We recognize in our community that it may take a generation, or perhaps a couple generations, before we're able to get out in front of some of these problems.

And that's why in our particular situation we look at the Federal tribal partnership being so crucial, so key to helping us resolve these kinds of problems. Without that Federal support we're going to continue bandaiding our problems, we're not going to be able to get out in front of or to the root of the problem, if you will.

Ms. MITCHELL. I would like to add something myself.

Sal is very true in saying that it will be may be one or two generations before we get in front of the preventative stages because I've worked 20 years with the Head Start Program. I have seen these things go on for 20 years. Today I'm talking with Sal.

OK, let's follow through with children of these children who are high risk, who are syndrome children, and let's follow through and see what's going on there. Are we going to pick up new bodies from today on? But let's do something, even if it does take one or two generations. But the funding is what we need, and you as the governing body of the country I hope hear our cries here in the Northwest because we depend on you back over there to help our situation so that we can work together.

We're a reservation who is not Public Law 280, and—so our situation kind of is a little different from the other people who are Public Law 280 reservations.

We man our own police force, and we pay them by the tribe. We have our own ambulance service manned by our own EMT's paid by the tribes. We service the State with these services, and we get nothing back from them. We service the roads for our children. We get very little money from the Federal Government which is allocated to our reservation, and that's all. We get nothing from the state to get our children to and from school, especially from the rural areas.

So these are some of the things that I would like to make very clear and loud to the Congresspeople, and I talk to you when I go over to Washington, and each time I think you're getting tired of this one cry, is why do they stereotype every reservation as one particular reservation, and let's take Navaho. We're all not that rich, you know, and we don't all have our own schools, and we provide our own doctors, and so forth.

But we would like to be treated like anyone else who gets a little funding from the Federal Government so that we can help to help ourselves. And I think we depend on all of you out there in the congressional because you were put there so that you can look through the whole country knowing not just because the farmers are down and out and out today, we've got to jump to them. We've got to help them, yes, in whatever way we can, but you know the Indian people has been a long forgotten people for a long, long time.

And I think now we've tried awful hard to be a little self-determined so that we might be able to help ourselves with the help of the Federal Government, which States within our treaties that you will see to our health and welfare of each and every one of us, and our education.

So these are some of the things that I will strongly stress to each of the Congress people when I go and visit them because this is what we hold dear to us is the values that you and I both hold that we might instill within all our children so that we might be better people for tomorrow.

Thank you.

Mr. LOWRY. You're a tribal counsel officer?

Ms. MITCHELL. Yes, I'm a tribal counsel lady.

Mr. LOWRY. Your name, please?

Ms. MITCHELL. Bernice Mitchell.

Mr. LOWRY. Thank you.

Now, why—Warm Springs, right? Why aren't you Public Law 280?

Ms. MITCHELL. Many——

Mr. SAHME. We are exempted to that law at the choice of our tribal council. So we are not under State jurisdiction as a result of that. This was determined, I believe, in the 1950's.

Mr. LOWRY. And so does each Indian nation have that option under the Public Law 280?

Mr. SAHME. Yes, each federally recognized.

Mr. LOWRY. Federally recognized has the options whether to have State jurisdiction?

Mr. SAHME. Correct.

Mr. LOWRY. And if you were—under doesn't sound like the right term to State jurisdiction—then there would be compensation for services rendered that you pay for?

Mr. SAHME. Yes, there would be.

Mr. LOWRY. But as it now is, I mean, it's—if there is to be outside dollars outside of tribal originated or generated dollars, it would be Federal dollars?

Mr. SAHME. Correct.

Mr. LOWRY. Dr. Bentz.

Dr. BENTZ. I want to correct you.

I want to correct you, unless this has changed within the last few years in Washington State. Washington State has a checkerboard pattern of——

Mr. LOWRY. I was asking the question; I wasn't answering, but go ahead.

Dr. BENTZ. Washington State has a checkerboard pattern of reservations that are under Public Law 280 and reservations that aren't.

Mr. LOWRY. Yes.

Dr. BENTZ. The Governor of Washington State ordered that Public Law 280 be extended to reservations even though the State constitution would not legally allow this. By the time this order was rescinded, a number of reservations were under Public Law 280 jurisdiction; thus some of the reservations in Washington State are under Public Law 280 jurisdiction and some are not.

Mr. LOWRY. Bernie, do you want to comment on that?

Mr. WHITEBEAR. At least three of the tribes that are currently under Public Law 280 have legislation filed, or are attempting to file legislation in the State legislature this coming session, the Colville—for retrosession so that they can achieve partial 280 and thereby qualify for bureau benefits for jurisdiction services that the State currently is not providing, and they are not eligible to receive STRA 280 tribe from the bureau.

So that I know it means the Colvilles, the Puyallups are interested, and looking at the partial retrosession at least. So a number of those tribes are trying to come back out of Public Law 280.

Mr. LOWRY. Thank you.

Dr. Bentz, why—in your testimony did you say that in the last 10 to 20 years there has been much greater progress?

Dr. BENTZ. Prior to that time, since the late 1960's, large tribes that were politically strong were able to exercise considerable influence over the administration of Bureau of Indian Affairs programs. Today, of course, some tribes still have not been able to receive funding for their own programs since tribes are in competition with each other for funds that are at a much lower level than they were prior to the Reagan administration.

Mr. LOWRY. Well, I think the panel did an excellent job. Thank you.

Chairman MILLER. Thank you. And I, too, want to thank the panel very much for all your help. Thank you.

What we're going to do, let me say the formal record of this hearing will remain open for 2 weeks, or roughly 2 weeks period of time, so if people have heard things this morning that they think should be—this afternoon that they think should be clarified, or additional information that you have, we would certainly appreciate it if you would send that to the select committee in Washington.

Also there's some people who would like to comment now on some things that have been said, and we have a few minutes before we're going to have to head for the airport.

If people want to come up here and take 2 or 3 minutes maximum, just to put something on the record, or to set the record straight, or to help us out, I'd be delighted to give you this opportunity to do that. I don't know if there's some people who want to do that or not. Don't be bashful.

Thank you again. Anybody? The last time I did this it turned the hearing upside down.

Ms. MITCHELL. This is Bernice Mitchell again, and I would like to say to you, Congressman Lowry and Congressman Miller, that I

think someone had a good decision here this afternoon. Getting the money to the tribes, and you know you have the biggest authority there, our superintendents of our tribes, which is a good overseer of this trust responsibility, which is money. Thank you.

Chairman MILLER. Just come up and sit down and identify yourselves so the stenographers will have your name, please.

Ms. AYER. Chairman Miller, Representative Lowry, my name is Sharon Ayer. I'm the social worker for the Nooksack Tribe in northwestern Washington State, and the reflections that I wanted to make harken back to comments that were made this morning about funding and moneys that were available to tribes.

Most of the tribes that we heard from this morning I recall all saying they're from small tribes. One thing that happens to small tribes for funding through the BIA is that the way their formula is set up for the amount of money small tribes can apply for, is if you have a membership of 2,500 members or less, $50,000 is the maximum that can be applied for. That doesn't take into consideration the multiple of problems that might be in existence for that tribe. It doesn't take into account the quality of services that are provided at that level. It's just a blanket statement.

And so when a small tribe is faced with the possibility of receiving $50,000, it's too enticing to pass by. So you apply, and if you're lucky enough to receive the maximum amount, there is, say, approximately one-fifth taken off the top for indirect expenses, and you're left with trying to provide quality services and a multiple of ways with $40,000.

That is some clarification, I think, to some of the things that we are hearing this morning. It's extremely frustrating because if you're trying to provide services according to community needs and community needs assessment, operating on that small funding, then which two areas do you focus on when really six are needed.

The other thing that people were saying this morning is there's not the consistency of the money. You may have some fantastic programs going, but you're never sure from one year to the next if you have the money to continue, or to try and make any long range plans.

That has changed somewhat now with the possibility of receiving 3-year funding cycles through BIA, but it isn't a guarantee. It's a possibility.

And I think one other comment from what people were saying this morning is the competitiveness for the money. One example we have in our area, there are six tribes who have formed a cooperative coalition for the sharing of cases, pertinent issues, that kind of thing, and in every other manner were able to cooperate. It comes to the dollars well placed in a competitive status with each other and with other tribes in the area.

So, one lady said this morning that maybe an answer to some of our funding problems is maybe not on what criteria the funding would be based, but that we be assured of *x* number of dollars every year, and then if additional funding were possible from other sources, fine, or if the pot were increased, that would be great also, but to maybe have a guarantee of *x* number of dollars yearly.

Chairman MILLER. Thank you. I think the funding problem is very simple. Congress decided not to fund this program properly.

By making funds competitive on a 1-year basis over a period of 5 or 6 years, you can give a lot of reservations a little bit of money, and kind of keep down voices of discontent.

The fact of the matter really is when you see in the Warm Springs Reservation that you have 219 children who are not living with their natural parents, you got a real problem in terms of child welfare, and in terms of placement, and you're not going to deal with that on a 1-year competitive grant. It's a joke.

Ms. AYER. And then if you have these 219 children in foster care and your funding is discontinued——

Chairman MILLER. It is a mindless approach. The 219 children is no way related to the ability of the tribe to pay for the placement of those children, or to offset the cost of the foster parents. It's one of the things I think rings pretty clear today.

Thank you very much.

Ms. AYER. I thank you.

Chairman MILLER. Anybody else for the open mike?

Again, if you'd just state your name clearly for the stenographers.

Mr. GOSLIN. Jan Goslin. My Indian name is Quashmah. I'm a Kickapoo Indian from Kansas. I'm up here speaking on behalf of myself.

Chairman MILLER. Please speak up a little bit.

Mr. GOSLIN. I have been involved with the Indian Child Welfare Act since 1979, as a former director and implementer of a tribal program in Kansas, that dealt with a whole range of funding problems and concerns, to State tribal agreements. What I would like to do is just comment briefly.

We're working with some of the tribal people in providing some written testimony, more specific to some of the questions and concerns that were raised in this hearing today, primarily the areas that I see as major problems have to do with the size of the basic economic—socioeconomic conditions that prevail within tribal communities and urban Indian communities in the country, legal problems and jurisdictional problems.

I heard comments about Public Law 280, and the jurisdiction that is concurrent, well, we know through our experience, and through a whole series of court cases, that the tribes have exclusive civil regulatory jurisdiction within their own tribes in Public Law 280 States. So there's a lot of confusion as to who has what authority, who has what authority to prosecute in child abuse situations, child sexual abuse, on down the line.

What I'll leave with you is some of the material that I just happen to have, that has been given out. Some testimony in past congressional hearings, and things that were submitted by the Indian social workers, a position paper that was developed this past spring at a national Indian conference on child abuse and neglect in Spokane, that lists a range of concerns.

Included in this package is House bill 2760. It was something that was established through the House Ways and Means Committee. It didn't come through your committee. But what it was was a proposal for direct funding under title 20 for tribal—programs.

The problem with it is the same problem that came down with Public Law 96-272, it's a mechanism for direct funding to tribes

under 4[b], developed with the formula concept based on population, that virtually eliminates all of the small tribes in the country from even considering funding.

Section 4[b] funding has an added requirement, I believe it's just a policy, regulation, it's not part of the law, that in order for a tribe to be eligible for direct funding they have to have contracted out the Bureau of Indian Affairs Social Services Program through the Public Law 93–638 process. That's fine if you're a tribe that belongs to a single tribe agency, but when you have multitribal agencies, it's real hard to coordinate programs.

In Kansas we contracted the program because we had four tribes that agreed to take over the program. But then at that, as far as the formula goes, we would have been eligible for $350. So it wouldn't have even been worth it to go for direct 4[b] funding.

So, one of the solutions, or one of the things that we feel is real urgent and necessary, is to coordinate some activities to allow for direct funding under the entitlement programs. We're all concerned right now about the Gramm-Rudman bill, and how it's going to affect funding for Indian programs, and programs generally across the board.

We also know that the entitlement programs are exempt from it, and to really have stable consistent funding and the best possible approach, would be to utilize the proper congressional committees, the proper tribal organizations across the country to support legislative amendments to the entitlement programs to allow for direct funding. That would be based on program need, not on population, so that there could be some legitimate programs established for the tribes.

Chairman MILLER. Thank you.

Mr. GOSLIN. And I believe that's about all I really want to say right now.

Chairman MILLER. I appreciate that. Thank you.

I certainly, would like to thank Bernie, for all the help in putting this hearing together, and the wonderful facilities, and the lunch, and to the entire staff at the Daybreak Star. It's really been a pleasure being here, and I think it's been very helpful. And I'd like to also thank again my colleague, Mike Lowry, for spending this time with us.

Bernie, do you have something to say?

Mr. WHITEBEAR. I had some testimony I wanted to provide.

Chairman MILLER. Please sit down, Bernie.

Mr. WHITEBEAR. I will be very brief. Thank you, Congressman Miller, and Congressman Lowry.

I am Bernie Whitebear, the executive director of the United Indians of All Tribes Foundation. I'm a member of the Colville Confederated Tribes.

By being very brief, in front of you is a site plan that is a 20-acre site that the Daybreak Star Center is located on. As you can see, is a very well-designed site. It is a site that represents the feeling of Indian culture.

Here in the city of Seattle we have some 20,000 to 25,000 Indian and Alaskan natives. The largest Indian reservation in the State by comparison is the Colville Confederated Tribes which has some

7,000-plus Indian enrolled people, 4,000 of which still live on the reservation.

So I'm trying to give you somewhat of a perspective as to the number of Indian people from many tribes that reside here in the city of Seattle that basically look to Indian organizations such as ours, such as the Seattle Indian Center, the Seattle Indian Health Board, the Aleute Corp., the Sea Alaska Corp., and some of those others, for services here in the city of Seattle.

One thing, I won't go into the need for the programs because I think the testimony by all of the people today was excellent, correct, and very informative, and is something that has been known not only by Indian people but by Congress for decades.

So I don't think anything you're hearing today is necessarily new, but I do want to focus on is once programs are in place, or even if they're not in place, I think a generator of activity and excitement towards programs are facilities.

The Daybreak Star Center has been used since its completion in 1977 for a whole variety of Indian and non-Indian uses.

It is recognized now by many tribes as neutral territory, so to speak. It is an area where they feel comfortable within a city that is somewhat foreign to them. They are foreigners in their own country and they look to the Daybreak Star Center, and the property here as somewhat of a in-city piece of the reservation, so to speak.

And it's very sad that the state of Indian Affairs has come to that in land that was all ours at one time.

But what I want to encourage is a continuing examination of an extension of our visibility here in the city of Seattle so that the programs that we are currently operating can grow and nurture, that they can expand, and that we don't have to be selective in our service clientele, and that we can be of greater assistance to the Indian tribes throughout the Northwest and the Nation in general.

We did an awful lot of work with our Canadian Indian brothers as well.

The attempt and desire is for the completion of this site plan. The State legislature in 1976, and subsequently, has authorized a million dollar bond for the construction of that people's lodge, which is the second facility. We're asking that Congress consider legislation that either through the Bureau of Indian Affairs, or some other mechanism, provide a part of the funding that's going to be necessary for the next facility, the people's lodge, which would probably be between a $5 and $6 million facility, that would then begin to add completeness to the efforts of the United Indians of All Tribes Foundation in that we then would be able to work with the whole family, that from a recreational, a cultural, a standpoint of all people in the family working together and coming to the same location, and having programs designed for them to bring the family unit back together, to reverse the trend of separation that we see today, a facility that our street kids can get off the streets and come to like they're doing today at our cultural events here, but something that even goes beyond that.

I had an inspiration last night. I went to see "White Knight," and I saw Mikhail Baryshnikov do the beautiful dances, and I recalled how we at one time had a Maria Tall Chief, an Osage

dancer, and I don't know why we can't have Maria Tall Chief again, and why we can't have our own Baryshnikovs and other musicians, and I don't know why we can't have our people in the Olympics.

And I think a facility of this nature will be a regional facility, and is needed. I think it will be supported by the tribes. I think it will support the tribes' efforts, as well as our own.

There has been legislation in the past that put funding into the Santa Fe Indian Arts Institute to be a regional art center. I don't know why we have to send artists out of the country. I don't know why we can't keep them here in the Northwest and have this center really and truly be a center for the Indian spirit.

Thank you very much.

Chairman MILLER. Thank you very much.

With that, the committee will stand adjourned. Again, my thanks to everyone for all their help.

[Whereupon, at 3:30 p.m., the subcommittee was adjourned.]

[Material submitted for inclusion in the record:]

CONFEDERATED TRIBES of the CHEHALIS RESERVATION

JAN 10 1986

January 3, 1986

The Honorable George Miller
House Select Committee on
Child, Youth & Families
House Annex #2, Room 385
Washington, D.C. 20515

Dear Congressman Miller:

The Confederated Tribes of the Chehalis Indian Reservation want to thank you and your staff for providing a forum for Indian people to articulate tribal concerns about the conditions affecting our children, youth and families.

As the Chairman of the Chehalis Business Committee, I want to emphasis the need for continued support of child welfare projects, health programs and education options. The Chehalis are concerned primarily with the pending budget cuts that threaten the stability of ICW, health and education services to our community. We are concerned about the damage that will occur to our already struggling social, health, and educational infrastructure on the reservation.

We need a renewed committment on behalf of the United States Government to meet the needs of our tribal members. The historical cirrcumstances that have contributed to current reservation conditions are being forgottan by federal officials. We have not forgotten what aspects of our sovereignty and resources we traded to the federal government for the inalienable promise of health, education and welfare, in perpetuity, for Indian people. Now, we ask you to stand as our advocate before the House Select Committee on Children, Youth and Families and carefully consider the testimony provided by representatives of reservations in the Northwest.

P.O.BOX 536 OAKVILLE, WA. 98568
AC 206-273-5911

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Should you need demographic information about Chehalis health, education and Indian Child Welfare needs and problems, please do not hesitate to contact my office.

Respectfully Submitted

Percy Youckton
Chairman

cc: Ric Kilmer, NICCS ICW
Legal Representative

Jan C. Goslin
Social Worker

File

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Prepared Statement of Nancy E. Murillo, Director, Tribal Health and Human Services Dept., Shoshone-Bannock Tribes, Fort Hall, ID

TREATIES: The Shoshone-Bannock Tribes are a Sovereign Nation. The Shoshone-Bannocks signed the Treaty of 1868 with the United States of America. The Reservation was established by the Treaty of July 3, 1868 (18 Stat. 685) at Fort Bridger, Utah, which defined the boundaries of the Shoshone Country leaving the western boundary open. A subsequent treaty of July 30, 1883, further defined the Reservation as the land area bounded on the east by the Portneuf Mountains and on the west by Raft River. Executive Order of July 14, 1867, set apart the Reservation for the Boise and Bruneau Bands of the Shoshone and Bannock Indian Tribes. As then defined, the Reservation extended 25 miles south from the confluence of the Portneuf and Snake Rivers, thence easterly 70 miles along the divide between the Bear and Portneuf Rivers, then north about 50 miles to Blackfoot. The original 1,800,000 acres was trimmed to 1,336,000 acres in 1860 and in 1900, additional land was ceded to the U.S. Government leaving the existing 544,204 acres including fee land within the Reservation boundaries. Tribes presently hold 94% ownership (individual and tribally owned) of the total Reservation land.

POLITICAL STRUCTURE

The Fort Hall Business Council is the official governing body of the Shoshone-Bannock Tribes, Inc. The Tribal Government was authorized under the Indian Re-organization Act of June 18, 1934. The Tribal Constitution and By-Laws was adopted and approved by the Secretary of Interior on April 30, 1936. The Shoshone-Bannock Tribes, Inc., became of Federally Chartered Corporation under the Indian Re-organization Act on April 17, 1937. One of the goals of the Shoshone-Bannock Tribes is to maintain the Fort Hall Reservation for the economic, social and political unit for the continuing benefit of its Tribal members. Total enrolled members of the Shoshone-Bannock Tribes is 3,245. The Fort Hall Business Council consists of seven members elected at large on the Reservation. The Council Members serve two year terms, and elect a Chairman, and Sargeant-At-Arms. Enrolled members of the Tribes age 21 years and over and residents of the Reservation are entitled to vote in annual election meetings, call, special meetings and on referandum issues.

The Fort Hall Business Council holds regular meetings on the second Tuesday of each month and special meetings as necessary to carry out it s many duties and responsibilities.

The Constitution and By-Laws provides for standing Committees: Tribal Health & Welfare Committee, Tribal Education Committee, Credit Committee, Enrollment Committee. These committees are appointed annually. Other Commissioners, committees and advisory boards include: Land Use Policy Commission, Tribal Law & Order Commission, Tribal Health & Human Services Board, Fish & Game Commission, Tribal Enterprises Board, Sho-Ban School Board, Tribal Personnel Advisory Board, Project Headstart Parent Advisory Board, Chemical Dependency Advisory Board, Elderly Nutrition Project Council, TERO Commission, Sho-Ban Tribal Museum Board, Tribal Civil Defence and Disaster Relief Committee, Fort Hall Housing Authority Board.

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GEOGRAPHIC LOCATION

The Fort Hall INdian Reservation is situated in Southeastern Idaho and comprises 61.7% of all reservation lands in Idaho. In 1969, the total restricted area of the reservation included 525,900 acres.

The Reservation approximates an inverted "L" and is the situated in part of Bannock, Bingha, Power and Caribou Counties of Southeastern Idaho. It has natural boundaries on the north and northwest sides, formed by the Snake and Blackfoot Rivers and the American Falls Reservoir.

The most populous protion of the reservation lies between the cities of Pocatello to the south (population 46,000), and Blackfoot to the north (population 10,000).

The townsite of Fort Hall is the one major community of the Fort Hall Indian Reservation and is an unincorporated village in Bingham county. The townsite consists of three stores, a cafe, two gas stations and garage.

The Fort Hall agency is located adjacent to the town of Fort Hall and is the site of Tribal government and the Bureau of Indian Affairs. Aside from government buildings there is a recreational complex, rodeo grounds, a Diagnostic and Rehabilitation facility for Tribal Law and Order, and a new Tribal Human Resource Development Center and New Tribal Business Center and a IHS Health Clinic, and a temporary metal structure to housing the Alcohol & Drug Program and Residential Center, other development in the centerlized area include, 60 low rent units, a 2 apartment complex for elderly and handicapped; 35 individually owned units (homes); Sho-Ban Construction offices and yard; various old BIA homes are being used for offices for the Tribes which include: Tribal Health & Human Services, Tribal Fish & Game, Tribal Courts, Tribal Home Improvement, 4-H Office. Other areas of Enterprise development are including near the Interstate 15: Trading Post Grocery Store; Clothes Horse specializing in Saddle & Tack, western wear; beaded arts and crafts, Smoke shop; Tribal Teepee Gas, 24-hour gas & desiel station; Tribal Restraurant Oregon Trail specializing in Indian Foods Gourmet; Tribal Historical Museum still awaiting full completion. Another Enterprize is 1500 acres Tribal Farm. Tribes acquired funding for BIA loans, BIA grants & EDA grants.

An inventory of Housing Conditions was conducted in March 1985. The results of this inventory are: Indian occupied houses 818, of this total, 566 were found to be in standard condition and 252 are substandard. From this total of 252 substandard homes, 163 were determined to be repairable and 89 needs to be replaced. In addition, we determined there are 112 families needing housing at the present time. (These are presently living with relatives, two families per house, etc.)

Transportation is a problem on the reservation. The majority of the residents of the Fort Hall Reservation have access to a vehicle or own a vehicle. A large majority of residents own older models. With several families living in household one may find difficulty in getting transportation when it is needed for visiting medical facility due to another member using the vehicle for employment. Transportation is considered a problem on the Fort Hall Reservation. And a lack of telephones creates a communication gap that makes it difficult for people to be aware of events and activities. The Sho-Ban News paper, weekly publication, newly developed, has, however, increased communications us well as inter program coordination and support.

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INCOME

The economic base of the Fort Hall Indian Reservation is primarily associated with land and water resources. Agriculture and mining are the two dominant forces in the Reservation's economy. Although employment figures for the Reservation proper are not readily available, interpolative compilation of information from the "Portland Area Demongraphic Statistical Data Report for selected Idaho Counties with Significant Indian Populations" for adjacent Bingham County showed approximately 19.2 percent of the total Tribal work force in the county (381 individuals) employed in agriculture, forestry and fisheries. An additional 8.4 percent was employed in mining. (figure of 1973)

The Sho-Ban Educational Assessments September 1984, indicated income levels of Shoshone-Bannock adults range from $0.00 to $30,000 with mean average of $5,000 and a median of $4,200/per year. Government, including the Bureau of Indian Affairs, local, state, and Tribal government play an important role in local employment. The total estimated Tribal personal income in 1970 was approximately $4.3 million, or $1,568 per capita. This compared to an estimated per capita income of $2,751 for Pocatello (Economics Research Associates, 1973).

In 1972, the Bureau of Indian Affairs estimated 2,744 Indians lived on the Reservation, and an additional 649 lived in the vicinity of, or adjacent to, Fort Hall (Economic Research Associated, 1973). These figures represent a two percent annual increase in the total population, or approximately 28 percent over the 13-year period. Females out numbered males 1,399 to 1,345 for the census (Table 1). The number of persons 16 years old and over available to the labor force was 1,136. Total persons employed were 738, or 65 percent of the labor force. Unemployed persons activity seeking work numbered 20 percent. Approximately 35 percent of all persons available to the work force were without jobs. Recently, 1985, study indicates a 69% unemployment rate.

The Educational Assessment of 1984 indicates a little more than 1/3 or 38% of the respondents (297) reporting of being currently employed full-time with only 23% of the sample having parttime work and 39% being unemployed.

The U.S. Department of Commerce, Buresu of Censes, census population of 1980 indicates approximately 2,500 American Indian on the Reservation and the economic status of 1980 indicates a median income (households of $9,628) and Female with no husband, $4,564. It further indicates 46% are poverty status.

The July 1, 1982, estimate of American Indian population indicates 2,846 American Indian on the reservation.

EDUCATION

Tribal study of 1985 indicate the drop out rate for students 9-12 grades is 35%. There are approximately 1,200-1,400 students k-12 attending Public schools. The Reservation area has three separate public school districts in the Reservation boundaries; i.e., Blackfoot School District #55, Pocatello School District #25 and the American Falls School District #381. The Larvis Report of 1978 indicate Shoshone-Bannock students 14 years and older drop-out and it gets progressively worse the greater grade level. The Larvis reports indicate 2/3 of first graders complete 6th grade; less than 1/3 complete the 8th grade; and less than 1/4 finish high school or about 10% graduate! Aside from the economic, social and

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cultural factors, discrimination and insensitivity within the public school systems play a critical role in attaining maintaining and retaining Shoshone-Bannock students in the local schools. Discrimination is more prevalent in the District #55.

The Sho-Ban School initially provided for students push out and dropped out the public school system. This school provides for grade 7-12. More students are attending do to difficulties within the public school system. The Sho-Ban School lacks adequate classroom space, teacher offices, library and other elements to accredit the school through the State of Idaho Dept of Education. Funds are lacking to provide for education to the students.

Furthermore, Adult education depicts deprivation within this country's education system. 1976 Sho-Ban assessment indicates a adults male 45 years 5th grade attainment level; adult male 25-44 years 7th grade attainment level for Shoshone-Bannock adults. This is well below the national mean. The Shoshone-Bannock Tribes have in place an Tribal Adult Learning Lab that excels in providing GED testing for the Shoshone-Bannock community. This program assist adults and high-school drop outs and push out an opportunity for an High School completion certificate.

Idaho State University, Pocatello, Idaho, is located only 10 miles south of Fort Hall. There are only about 24 students attending ISU, 17 majoring in academic and 7 vocational training. A recent meeting with the new President Bowen looks encouraging to develop better working relationships with the University and to initiate programs and services to attract and retain Indian college students from Fort Hall Indian Reservation.

Funds are inadequate for higher education grants through the Bureau of Indian Affairs.

Additionally, the Tribal Health & Human Services Department provides, along with the Indian Health Service Health Educator, periodic Oreintation & Tour of the reservation to students in the College of Allied Health Profession, ISU. Attached is a copy of the newspaper article. Effort is prescribed through a memorandom of agreement among Shoshone-Bannock Tribes, the Indian Health Service and Idaho State University for this type of information and communication and student field placement with the health care delivery system at Fort Hall.

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HEALTH STATUS OF THE SHOSHONE-BANNOCK PEOPLE (A Treaty Obligation, 1868)

The Health status of the Tribal membership and eligible Indian afforded health care through the Indian Health Service is reflected in the following TABLES I-XVII. The Health status of the Tribal people is low in comparison to the general and national standards. Fort Hall has been working vigorously to raise the health status, however, budget cuts and restraints, in-adequate staffing and inferior (small) health care facilities present critical obstacles in providing quality health care in meeting all the needs of the Indian people. The IHS clinic has been operating under Priority I, Urgent and Emergent care due to inadequate funds. The health and well-being of the people is in an imbalance due to these deficiencies.

The ten (10) leading opisodes of first visits of acute condition are: FY84 - Ranking of (10) Leading Episodes (First Visits) of Acute conditions by Service Unit Ambulatory Patient Care. Fort Hall Service Unit:

Code Diagnosis	FY84
Upper respiratory infection, common cold	1
Acute otitis media	2
Urinary Tract Infection (kidney/bladder)	3
Infection female genitalia (excl. VD)	4
Strep throat	5
Conjunctivitis (Excl. trachoma)	6
Pharyngitis/tonsillitits (non-strep)	7
Gastroenteritis, diarrhea, etc. NOS	8
All other symptoms	9
Acute bronchitis/bronchiolitis	9
Ectoparasitic infestations	10

The ten (10) leading episodes of total visits of chronic conditions are: FY84 Ranking of (10) leading episodes (total visits) of chronic conditions by service unit Ambulatory Patient Care, Fort Hall Service Unit:

Code Diagnosis	FY84
Diabetes mellitus	1
Hypertensive disease	2
Respiratory allergy/asthma/hay fever	3
Other musculo/connective tissue dis.	4
Rheumatoid arthritis	5
Drug dependence or abuse	6
Alcoholism, acute or abuse	7
Osteoarthritis	8
All other endocrine disorders	9
Disorders of menstruation	10

NEED for New Ambulatory Clinic at Fort Hall
the following pages is a resolution describing the need for a new clinic. The Tribes have set aside Nine (9) acres of land for construction of Facility. The Shoshone-Bannock People are in critical need for health Services.

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RESOLUTION

WHEREAS, the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation, Fort Hall, Idaho, is located in Southeastern Idaho and has an enrolled membership of 3,245, and

WHEREAS, there is presently an Indian Health Service Ambulatory Clinic located at the Fort Hall Agency which was built in 1961 to accommodate an outpatient visit, (OPV) workload of approximately 10-12,000 OPV's, and

WHEREAS, in FY83 the OPV's climbed to 28,000 OPV's with an additional increase to 29,000 to FY84 and the clinic projected FY85 outpatient visit between 31,000-32,000 OPV's, and an approximate contract health services caseload of 6,000, and

WHEREAS, the existing clinic 4,224 square feet is overcrowded, the waiting room is extremely small, lacks adequate exam-rooms, x-ray, lab, dental operatives, pharmacy space, CHS space, storage space, staff program space and staff to carry out health care delivery to eligible Indians, and

WHEREAS, there is the critical need for a new ambulatory facility with estimated need of 30,642 square feet, to provide for the Indian Health Service projected visit of 33,160 OPV's in 1991 to carry out the mission of Indian Health Service and provide the critically needed health care to Indian People, and

WHEREAS, the Fort Hall Indian Health Service was determined by Indian Health Service for new construction and placed third nationally for new clinic construction in 1984, and remains presently third on the Indian Health Service list of new Ambulatory/Clinic construction, and

WHEREAS, Yakima who was ranked number one nationally was approved in FY86 for new construction, engineering and designing; and henceforth, Fort Hall should be ranking still third for new construction in FY87, and

WHEREAS, the Seattle Region Office of facilities construction had conducted a Phase II site survey on December 11, 1985, and

WHEREAS, the Portland Area of Indian Service encompasses the States of Idaho, Washington and Oregon where there are no Public Health Service or Indian Health Service Hospitals but rely heavily and only an ambulatory clinic and Contract Health Services to meet the health care demands of the Indian People living in that three-state area; now

BTWP-86-9630

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Resolution
1/20/86

THEREFORE BE IT RESOLVED BY THE BUSINESS BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, that the Shoshone-Bannock Tribes fully support the efforts of Indian Health Service to acquire an allocation from Congress for a New Health Clinic at Fort Hall; and proclaim and urge Congress, the Senate and the President of the United States to provide funds in the FY87 budget to initiate new construction of an Ambulatory Health Center to meet the increasing health care needs of the eligible Indian population and the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation, Fort Hall, Idaho, and

BE IT FURTHER RESOLVED that the Congress, Senate, and the President of the United States Appropriate in FY87 6% of total construction estimates for initiation of new construction; and appropriate funds accordingly to complete construction and provide for staff for a new ambulatory clinic at Fort Hall, Idaho, in efforts to carry out the mission of Indian Health Service and provide the critically needed health care services of the Shoshone-Bannock Tribes and American Indian population.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 stat., 984) as amended under Article VI, Section 1 (a,c) of the Constitution and By Laws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation.

Dated this 20th day of January, 1986

Kealey Edmo, Chairman
Fort Hall Business Council

S E A L

I HEREBY CERTIFY, that the foregoing resolution was passed while a quorm of the Business Council was present by a vote of 6 in favor, 0 opposed, 0 absent, and 1 not voting on the date this bears.

Darrell Shay, Tribal Secretary
Fort Hall Business Council

HIWF-86-9630

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OTHER AREAS OF CONCERN

Relative to Child Abuse, Neglect, and Molestation, this trend appears to surfacing within the Tribes. Although the Shoshone-Bannock Tribes received Indian Child Welfare Act Grants perodically, the intervention to abuse has yet to seen. Indian Child Welfare Act provide inadequate funds through the BIA, for grants to assist Indian Tribes in this ever increasing problem. Alcohol, Drug abuse and Inhalant abuse are also prevalent and creating dysfunction for youth, the adult population and families. Although there are families who are not involved with chemical abuse, the tribal extended family relationships do reflect hardships on the Indian families on the Reservation.

YOUTH

There are no specified chemical and rehabilitation programs for youth on the reservation. There are few employment opportunities for youth where good work habits and job responsibilities and interest can be attained. There is a good recreation program but, again, funds are essential to care of recreational needs for the various age group. Fort Hall is highlighted for its Basketball Tournaments but other recreation is also a need for other interests. The Tribes do contribute towards Recreation for youth. Kids play in irrigation ditches during the summer. There is need for a swimming pool(s). There is need for atleast another gymnasium if not one for each of the 5 districts of the large reservation. Those facilities should be multi-complexes for a variety of programs for youth including recreational, intervention, educational, and an center to develop a good productive individual with high esteem and a self fulfilling aspiring person.

Police Records report in 1983=57 runaways; 1984 = 32 runaways; and in 1985, January to August 17 runaways. In 1984 = 33 were reported and one found and of these 25 were non-related to alcohol/drug use and 7 were related.

FAMILY DYSFUNCTION

In 1985, State Department of Health & Welfare report 38 Indian Youth in Foster care and there are 35 reports of investigation regarding children. The Fort Hall Agency BIA reports 5 children in Foster Care on the Reservation and a surging 60 investigations of child abuse, neglect cases. Tribal Court have and are processing 20 cases through the system. The Tribal (Mental Health) Human Services Program reports 63 cases of Batter Women; 71 of child abuse/neglect; 10 child sexual abuse; 22 family violence and 357 Family/marital contacts.

ELDERLY POPULATION:

The Elders of the Tribes are focus of strength. The only program which specifically provides for services to the elderly is the Elderly Nutrition Project which offers, due to lack of funds, only 4 meals a week. There are approximately 275 elders over the age of 60 of which 175 are able to be served by the Project. The extensive distances to the feeding site limited accessibility for many of the elderly. Some of the services also include outreach and referral, arts and crafts and little employment. Many of the Elders are the mainstay of the family extended family with some

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CONTINUE- ELDERLY POPULATION:-----

of elderly being grandparents and greatgrandparents to their off springs and have the guardianship for many of the youth. There have been reported some cases of elderly abuse and neglect which has been unthought of in the past. Elders are to be respected and provided for thier wisdom, forsight and cultural contributions to the existence and growth of the Shoshone-Bannock Tribes. All too many times, this population is forgotten with the allocations of servims and funds for assistance in surviving this fast pace in the modern world. Many of the younger look to the elderly for financial assistance and support for their own youthful existence. Our elderly are not affluent, but also assist when they can and that seems to at all times. The elderly still remember what their parents told them of the treaty times and the hardships and brutalities involved in surviving the early times of the treaty days. They remember when only rations were distributed once a week and many children crying for food when there was no rations left for the rest of the week. One elderly remembers her sister being one of many shot by the U.S. Army troops while standing in line for their rations. It is still vivid in the mind of elderly when children were kidnapped by pioneers passing through Indian Country. The atrocities that existed in the development of the Great Nation of the United States are sad and gruesome for the Indian people across the Nation.

Fort Hall when one look in the "Encylopedia" will note that Fort Hall is the major passage way to the West to Seattle and California area. Fort Hall is historically the "Gateway to the intermountain West" and the Shoshone-Bannock Tribes still see the influx of many "Indians from many Federally Recognized Tribes" residing on the Reservation on near FOrt Hall because of its resources. It is indeed a Mecca for people. This highlights a point that the funds available to assist the Shoshone-Bannock Tribes are extended to many other Indians. The BIA and the Indian Health Service extended services to these people as well. The IHS has in their files between 10,000 and 11,000 charts depicting services to individuals seeking health services at the local, small, outdated outpatient clinic located right at Fort Hall.

When the need to provide services to many Indians, many times are elderlys are left out. The Tribes assist in providing some dollars for various supplements to programs, however, the Tribal Government is so limited on their resources to assist any individual or program.

HEALTH

The Elderly are prone to health problems....ONe is diabetes and hypertension, and rhetomoid arthritis and upper respiratory problems. Elderly need first priority. In the past it had been noted by a insensitive health care provider, that "Well, the old person is going to die anyway." Many of our elders have lived beyond 100 years. Their health is important and should be top and formost in health care delivery. Physical therpay and home-health care is essential to our elderly and handicapped.

There are reported cases of physical handicapped, ie., sight, paralysis. All too many times the on set of diabetes is diagnosed late. Many of the people are losing limbs, sight is affected and stress play important roles in the "living" with diabetes. There are 241 diabetics diagnosed with one being diagnosed each week. The age of diabetics is getting younger. When one reaches 40 years of age, it seems high risk, however, there are diabetics in late 20 and 30 years of age. There are two "juvenile diabetics". Interestingly, this diabetes for many of the Shoshone-Bannock

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HEALTH CONTINUE----

can be prevented through good nutrition and diet and excercise. The IHS Clinic has NO nutritionist on duty. The Tribes have acquired through other funds some services of a nutritionist. The IHS Need to BE MORE ASSERTIVE IN PROVIDING FOR A NUTRITIONIST POSITION AT THE CLINIC. MOre prevention is needed in Diabetes. The Tribes COmmunity Health Representative Program initiated a Diabetic Care Specialist position to provide Diabetes Prevention, however, more is needed to focus in the prevention of diabetes. The Tribes Health Program have been working with IHS to pursue hard prevention of diabetes, and have conducted many Diabetes workshops and learning aids for the people. Prevention will enhance the rising costs of health care for the diabetic.

TEEN pregancies are high. THe Tribal Maternal and CHild Health Program provide services for pre and post natal cases. The program reports that there were 123 babies born in 1985, Of the number of pregnancies at this time which number 64, pregnancies number 15 that are under 18 years of age. Of these 15 teen pregnancies, four (4) are unmarried. The program is attempting to provide education to the young age group, however, lack staff to delve into prevention of teen pregnancies. They are making attempts however. Fetal Alchol Syndrom, FAS, and Fetal Alcohol Effect, FAE, is another health hazard to our population. The effects of drinking while pregnancy is still new to the population. The SHoshone-Bannock Tribes declared the week of January 12-18 as FAS Awareness Week. Many program were provides to the community and programs such as the Headstart parents and educators, the Shoshoen-Bannock Shool to the Teens and a FAS Resource Conference is scheduled in February to get prevention materials to resource people from the Tribes, the BIA, IHS, the STate Health & Welfare and other resource people who can assist in providing prention of FAS and Fae to our youth and women of child-bearing age. It is not only for this target group but for families, young men as well. The Sho-Ban School held a Poster Contest which were judged and absolutely were aspiring the display of knowledge they received from the FAS prevention materials provided to them. IT IS REPORTED THAT THERE ARE TWO (2) cases of determined FAS and it is not recorded as to the number of FAE children.

It is amazing that this is occurring, and it is new to the community and the Nation as a whole. Foremost, FAS is total preventable. Our young has difficulties with maturing and confronting the social and cultural factors. THIS phenomenon is not to be added to the list.

SUCUIDE: In 1968, Robert Kennedy, Senator and Chairman of the Senate Subcommittee on Indian Education visited FOrt Hall and the area on a fact finding mission on the Problem of Indian Education. Senator Kennedy reported that the drop out rate was twice the rate of other students nationally. He indicated that the suicide rate of Indian youth here was higher than any other Indian Reservation. His report/investigation revealed enough information that a report entitled, Indian Education "A National Tragedy", was printed. With the inception of PL 93-638, the Indian Self-Determination and Educational Assistance Act, the Shoshone-Bannock leaders acquired the funds for development of a Tribal Health Department with tasks to follow-up on available funds and seek funds for services to curb suicide, alcoholism and other health problems afflicting the Tribes. In 1976, the TRibal Health Department was established, In 1977 the Tribes received funds from National Institute on Alcohol and Alcohol Abuse, NIAAA, to develop and implement a Alcohol and Drug Program on the Reservation. They received only 1/3 of the grant proposal reqeust. In 1977, the Tribes hired a Crisis Intervention Counselor to intervene in the suicides after a proposal was submitted to Indian Health Service and was funded. SUIDICE REPORT: The

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HEALTH- SUICIDE REPORT CONTINUE----

suicide rate for the Fort Hall Indian Reservation was 127 per 100,000, September 1973 to September 1978. In 1977-78, the suicides reduced to "0" (zero) for approximately 2 years. The Intervention Program and the PL 93-638 of the IHS Mental Health Services further reduced suicides and attempts. With the IHS Mental Health Services under Tribal Management, the suicides rate was only 11.6% per 100,000 over a 5 year period, 1979-84. The National suicides rate is 13% per 100,000, and the state of Idaho suicide rate is 16% per 100,000. Pocatello, Idaho, 12 miles south of the REservation has a rate of 17% per 100,000. Under Tribal Management the IHS Mental Health Services restructured the services and included an ON-CALL 24-HR SERVICE with dispatch from the Fort Hall Tribal Police Department. (Prior to that the IHS Mental Health Services were only available during the regular work hours, 8-4:30 pm, and only five days a week. This Crisis Intervention On CALL system is available 24 hours a day every day of the year and on any holiday. This provided immediate intervention. This is not to say the attempts have gone down. They are attempts, but lesser completions. The necessary staff involved including the Police are trained. It is a complex problem which needs to be addressed to cover all factors.

CONCLUSION:

There are many contributing factors relating to the problems facing the Shoshone-Bannock people. The Tribes have made strides in closing the gap. However, the Shoshone-Bannock Tribes have a long road ahead to reach a plateau of tranquility. The Treaties and the Treaty rights afforded under those treaty is being eroded away by the United States and the States. Perhaps, the United States has forgotten what the Treaty with the Indians is all about. The Indian People are a Nation, a Sovereign Nation, as depicted in the Treaty between the Eastern Band Shoshone and Bannock of 1868. Article 1. States, From this day forward peace between the parties to this treaty shall forever continue. The Government of the United desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they hereby pledge their honor to maintain it.

There are thirteen (13) articles in the Treaty of 1868. There are treaty rights and they are inherent rights. The Tribes in the United States should not have to be considered one of the minority or special interest groups. We have the TREATY (IES) WITH THE UNITED STATES OF AMERICA.

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SOUTH PUGET INTERTRIBAL PLANNING AGENCY
W. 81 HWY. 108
SHELTON, WASHINGTON 98584
(206) 426-3990

January 24, 1986

Congresssman George Miller, Chairman
U.S. House of Representatives
Select Committee on Children,Youth and Families

Dear Congressman Miller,

We want to thank you for this opportunity to express our concern about Tribal Indian Child Welfare Programs and those identified needs that we think are hindering services to Indian families and youth.

We hold our young in valued esteem and, as the Indian Child Welfare Act recognizes, our children are indeed our most valued resource.

We are aware of your past support for passage of P.L. 95-608 and P.L. 96-272. We appreciate your concern for youth in general and your specific concern with Indian youth.

This written testimony is expressing the concerns of the Tribes collectively in the State of Washington. We have formed an informal network and have discussed this testimony and the importance of your committee being informed of our concerns. The following issues reflect our concerns:

1. Gramm/Rudman proposed cuts-

The Bureau of Indian Affairs, in responding to cuts associated with Gramm/Rudman, is proposing an 4.8 million dollar cut in the BIA Social Service FY86 budget. This proposed plan looks at 3 ways of trimming their budget.

A. Taking current BIA General Assistance programs and reducing the benefits to a level below current A.F.D.C. levels absorbing 4.8 million cuts.

B. Cutting Tribal/Agency social service staff, totally ignoring central or area office staffs.

C. Cutting FY 86 I.C.W.A. funding by 50%. If Social Services has to absorb cuts we recommend that the cuts be absorbed at the Central and Area Office level of BIA.

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2. Indian Child Welfare Title II-

Programs have been underfunded, with BIA controlling the grant programs, requiring Tribes to compete annually for grants. BIA Area Office review of grants has been inconsistent from Area to Area. New grant procedures have been implemented without taking and including Tribal comments or concerns. Many Tribes have experienced program elimination due to the BIA mandated competetive process.

3. Tribes in the State of Washington have consistently expressed a need for stable funding for Child Welfare Programs; We offer the following suggestions for your consideration to accomplish this:

A. Amend the Social Security Entitlement laws to allow for direct federal funding to Tribes. P.L. 96-272 allows for Tribal direct funding under 4B of the Social Security Act. However, in implementing this funding, a policy decision was made requiring the Tribes to have contracted under, P.L. 93-638, their BIA Social Services Program. These programs are primarily at the Agency level and often times are difficult to obtain in multi-Tribal Agencies such as ours. Finally, the major problem with existing Tribal funding under 4B is the formula which is based on population and is totally unrealistic, virtually eliminating small Tribes from consideration.

We recommend that a process for direct funding be established that allows for Tribal funding based on the assumption that mimimal Child Welfare Programs/systems will be implemented using the Entitlement Programs as primary funding resources. This would require amending Title XX, Title 4 B, and Title 4E through legislative action which would circumvent Federal dollars to States and allow Tribal Block Grants similar to State administration of said programs. This, of course, will not be an easy task but is not impossible.

4. Certain provisions of the Indian Child Welfare Act call for both the Secretaries of Interior and Health and Human Services to enter into cooperative agreements establishing programs to supporting Title II of the Act. The idea, of course, to share funding responsibilities and creative Tribal/Urban Indian Family Services Programs would ensue. This has not happened and should be implemented as intended by the Act.

5. In 1984 the Senate Select Committee on Indian Affairs held oversight hearings on amending the Indian Child Welfare Act. Tribes responded with both oral and written testimony identifying barriers to implementation and suggested changes in the law. We ask that serious consideration and Congressional support be given to amending the law.

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6. A major barrier to implementing the Indian Child Welfare Act has been the States reluctance to fund Foster Homes based on Tribal standards for Foster care. The States say that Federal policies restrict direct payment for foster care using Tribal standards. Additionally, in some states state statutes require Foster care to be paid only to homes meeting State standards, as in the State of Washington.

We suggest, to eliminate this problem, that P.L. 96-272 be amended to address Tribal standards for Foster care issues. Amendments in the Indian Child Welfare Act could assist in clarifying State responsibilities.

7. The Tribes in Washington State requested information as to what Federal dollars are being used that would be generated from Indian statistics within the State. The Tribes asked for the amount of Federal Social Security entitlement program funding the State receives.

We were told by State officials that Federal dollars are mixed with State dollars and in-kind services thus preventing them from identifying those funds.

In conclusion we are not asking for any new funding; We simply want our fair share from existing funds.

We appreciate your concern and would be pleased to work with your committee staff to clarify and implement our suggestions and recommendations.

Sincerely,

Gary W. Peterson

Gary W. Peterson, Director
So. Puget Intertribal Planning Agency

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Prepared Statement of the Tulalip Tribes of Washington

Mr. Chairmen, we appreciate the opportunity to submit written testimony to the House Select Committee on Children, Youth and Families.

We, urge that the committee look into the shortfall of funds for Human Services in line with children, youth and families;

INDIAN CHILD WELFARE

We recommend a increase to the Bureau of Inidan Affairs for Title II, Indian Child Welfare Programs. This program is designed for the protection of Indian children and their families with regard to the National Indian Child Welfare Act of 1978. Yet the following problems still exist with lack of personel and assured funding every year:

A) **LACK OF INDIAN FOSTER HOMES ON RESERVATION**

There are approximately 5 indian foster homes on or near our reservation. Only 1 will take any children. This home is already overcrowded. If there is no chance for relative placement, the state places our children in Non-Indian homes off our reservation. This is where our children lose their identity and cultural values which are so important to keep when you are young.

B) **COMPLETE LOSS OF FUNDING AND STAFF**

Our tribes realizes that the funding for Indian Child Welfare is so competitive. We feel that this plan is not effective in any sense. There will always be children and families in need of services. We cannot stop providing services when child abuse, sexual abuse, alcohol and substance abuse, child neglect and family violence continue to grow each and every day. How can you build a program for the next year when your unassured the funds?

C) **FAMILY DISRUPTION**

The break up of families always tends to lead to more severe problems for children. Young people can grow and learn from their own environment. Family separation is so traumatic for adolescents. The problems that seem to always arise after breakup are runaways, teenage pregnancy, alcohol and substance abuse and they will most likely drop out of school. Funding needs to be made available so we can try to support our children and their families.

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D) JURISDICTION ISSUES

Tulalip is now in the process of adopting a juvenile code. We can not even begin to enforce this code without manpower and limited funding source. Our funding is limited to one caseworker, plus some subcontract for major issues. Right now a major issue on our reservation is sexual abuse of our children. Our caseworker is aware of 11 cases. We would like to continue to provide Indian Child Welfare services and fulfill the legal jurisdictional agreement with the state inproviding services for our people. Can we join together in this effort to protect our children.

E) LACK OF FUNDING FOR PREVENTATIVE MEASURES

Lets try to make people aware of these problems before they become tragedies. Added funding could start some very needed educational activities to enhance better understanding and awareness of child abuse and neglect, alcohol and substance abuse, family violence, sexual abuse and family disruption.

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PREPARED STATEMENT OF TERRY L. CROSS, DIRECTOR, NORTHWEST INDIAN CHILD WELFARE INSTITUTE, PORTLAND, OR

My name is Terry L. Cross. I am an enrolled member of the Seneca Nation of Indians. I am speaking to you today as the Director of the Northwest Indian Child Welfare Institute in Portland, Oregon, and also as a member of an ad hoc committee established at the 3rd Annual National Indian Child Abuse and Neglect Conference -- a committee dedicated to improving the well-being of Indian children through improvement of Indian Child Welfare programs and resources.

Since the beginning of our tribes, Indian people have placed a high value on our children. Historically, natural mechanisms which protected children from abuse and neglect were an integral part of life. The extended family and clan concepts ensured that children received care despite the condition of their biological parent. No one person carried the burden of child rearing.

Discipline, teaching, physical care and socialization were functions shared by a vast array of relatives, elders and other community members. Strict community norms and values about the treatment of children were maintained under the warchful eye of aunts, uncles, grandparents and spiritual leaders. The spiritual beliefs of many tribes protected children in teachings that valued children as gifts from the creator which would be taken back by the creator should they be mistreated.

I mention these historical issues to emphasize the strong heritage which Indian people have for protecting children. Unfortunately, this natural system of child protection could not entirely withstand the drastic changes brought about by the domination of this country by the non-Indian. Through changes in tribal economies, numerous federal policies, and the replacement of traditional spiritual belief systems, the natural mechanism have been weakened, while at the same time, an environment of despair and poverty was created, an environment in which child abuse and neglect could grow and flourish. In addition, many Indian people have learned how to be abusive with children. Since the 1870's generations of Indian people have been reared in government and other boarding schools. Generations of parents, reared in institutions which were often harsh and devoid of nurturing, grew up without the benefit of role models for family living. Indian people learned what they lived.

Today, Indian communities face child abuse and neglect problems similar in scope to the national picture, but only since the Indian Child Welfare Act of 1978 have we had the right to jurisdiction to do anything about the problem. The right to jurisdiction, however, did not automatically endow Indian communities with the skills or resources to handle the problem. Skills are rapidly growing. Resources are not. The Indian Child Welfare Act was grossly underfunded. The ICWA Title II appropriation for the current fiscal year is approximately 9 million dollars.

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Approximately three hundred tribes, Indian organizations, and Alaska Native corporations vie for this funding in a competitive year-to-year grant making process administered by the Bureau of Indian Affairs. Under this system tribes may have a child welfare program one year and not the next. Continuity of service is unpredictable. Under a new administrative role effective only last month a three year cycle is being adopted. This is not enough. Continuity should be on par with the dominant society.

Some tribes with an economic base are able to support services through tribal income. Most, however, must rely on ICWA Title II grants. Tribes are eligible for funds under Title IV-B, but even the largest tribe in the Northwest receives only about $2,000 and only after an extensive application process. HDS discretionary funds have supported some demonstration projects, but without a stable funding base, effective programs cannot be duplicated. No other population, no other governmental body with the responsibility for child welfare is in the position of being subjected to competitive funding. Tribes and Indian organizations are doing their best under the circumstances using staff and resources from related fields to perform some child welfare services. Efforts aimed at prevention, preservation of families, and protection of children are greatly inhibited by the current structure of ICW funding. To remedy this situation, concerned Indian people, ICW workers, and tribal officials are seeking an improved funding mechanism for ICW.

On May 8, 1985, at the 3rd Annual National American Indian Conference on Child Abuse and Neglect, the following position paper was unanimously adopted by the conference participants. Since that time, several tribal councils and national Indian organizations have endorsed the position paper. It reads as follows:

To: Concerned Tribal, State and Federal Policy Makers, Urban Indian Organizations and National Indian Organizations

From: The Participants of the 1985 National Indian Child Abuse and Neglect Conference, Spokane, Washington

Subj: Improving the Well-being of Indian Children through Improvement of I.C.W. Programs and Resources

We, the participants of the 1985 National Indian Child Abuse and Neglect Conference, as concerned Indian people, professional child welfare workers, and representatives of tribes from the United States and Canada do hereby take the following position regarding the protection and care of Indian children:

In order to effectively protect the well-being of Indian children, tribal/urban I.C.W. programs must have the capacity for STABILITY, CONSISTENCY, and GROWTH. Under the present system of funding and federal/state administration, there is no such capacity. No other group of children in the United States, no other governmental bodies are subject to the inconsistencies experienced in I.C.W. In consideration of the above we assert that:

A. The current level of I.C.W.A. Title II funding is inadequate and should be increased to a level of 29.5 million dollars, as recommended by the National Indian Social Workers Association.

B. Funding mechanisms for I.C.W. programs should be redesigned to enable a tribe and urban organization to have the same maintenance type funding as exists for county and state governments. We recommend:

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1. To study possible changes in Title II of the I.C.W.A. Act to create a maintenance approach.
2. A three year funding cycle for I.C.W.A. Title II grants. (Adopted 12/85)
3. Changes in existing federal/state law in order to direct money into tribal programs.
4. Coordination of federal/state departments with regard to I.C.W.A.
5. The development of private sector support for program support.
6. Technical assistance from the Bureau of Indian Affairs on development issues.

C. The current system of funding creates tension and competition between tribes and between tribes and urban organizations. In the interest of all our children we suggest:

1. Active networking efforts between tribes and between tribal and urban I.C.W. programs.
2. Cooperative relationships between tribal and urban programs be developed and enhanced.

D. Under the current system of competitive grants and inadequate funding, tribes are not able to have the necessary impact on setting their own priorities in I.C.W. services. In the interest of self-determination we recommend:

1. The establishment of Indian committees to direct the B.I.A. on the distribution process of Title II grants.
2. Amendments of I.C.W.A., Title II, to include:
   - direct tribal input into funding policy
   - a fair and equitable process to grant making in accordance with self determination
3. Implementation of the inclusion of tribes as direct recipients of Social Service Block Grants and/or amendments to existing federal legislation, such as Title XX, Title IV-B, and Title IV-E to bring funds directly to I.C.W. programs.

I would like to thank you for this opportunity to share my concerns with you. The attention of policy makers at a national level is essential if Indian people are to be successful in protecting our children. Indian communities must be able to put together the strengths of our Heritage, the knowledge of our problems, and the right to jurisdiction with the resources to do the job. The Northwest Indian Child Welfare Institute joins with the voice of others mentioned in this testimony to call for a federal response to meet the needs of abused and neglected Indian children.

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POSITION PAPER

TO: Concerned Tribal; State and Federal Policy Makers, Urban Indian Indian Organizations and National Indian Organizations

FROM: The Participants of the 1985 National Indian Child Abuse and Neglect Conference, Spokane, Washington.

SUBJECT: Improving the Well Being of Indian Children Through Improvement of I.C.W. Programs and Resources

We the participants of the 1985 National Indian Child Abuse and Neglect Conference, as concerned Indian people, professional child welfare workers, and representatives of tribes from the United States and Canada do here by take the following position regarding the protection and Care of Indian Children.

In order to effectively protect the well being of Indian Children tribal/urban I.C.W. programs must have the capacity for Stability Consistency and Growth. Under the present system of funding and Federal/State administration there is no such capacity. No other group of children in the United States, no other governmental bodies are subject to the inconsistencies experienced in I.C.W. In consideration of the above we assert that:

A. The current level of I.C.W.A. title II funding is inadequate and should be increased to a level of 29.5 million as recommended by National American Indian Social Workers Association.

B. Funding mechanisms for I.C.W. Programs should be redesigned to enable a tribe and urban organization to have the same maintenance type funding as exists for county and state governments. We recommend.
   1. To study possible changes in the ICWA Act to create a maintenance approach.
   2. A three year funding cycle for ICWA Title II grants.
   3. Changes in existing federal/state law in order to direct money into tribal programs.
   4. Coordination of federal/state departments with regard to I.C.W.A.
   5. The development of Private Sector support for Program Support.
   6. Technical assistance from bureau on development issues.

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C. The current system of funding creates tension and competition between tribes and between tribes and urban organizations. In the interest of all our children we suggest
   1. Active Networking efforts between tribes and between tribal and urban I.C.W. programs.

   2. Cooperative relationships between tribal and urban programs be developed and enhanced.

D. Under the current system of competitive grants and inadequate funding tribes are not able to have the necessary impact on setting their own priorities in I.C.W services. In the interest of Self Determination we recommend.
   1. The establishment of Indian committees to direct the B.I.A. on distribution process of Title II grants.

   2. Amendments of I.C.W.A. to include
      -direct tribal imput into funding policy
      -a fair and equitable process of grant making in accordance with self determination.

   3. Implementation of the inclusion of tribes as direct receipients of Social Service Block Grants and/or amendments to existing federal legislation such as Title XX, Title IV-B and Title IV-E to bring funds directly to ICW programs.

RESPECTFULLY SUBMITTED BY AD HOC COMMITTEE FOR THE PROTECTION OF INDIAN CHILDREN

Michael James Yellow Bird - Three Affiliated Tribes of North Dakota
Eloise King - Colville Confederated Tribes
Michelle Aquilar - Soboba, Suquamish Tribe
Frank A. Rivers - Squamish Nation of Canada
Anna Pellatt Chiefs of Ontario
Luch A. Schaefer - Skokomish
Jan C. Goslin - Kickapoo Tribe of Kansas
Elizabeth Red Bear - Yakima Nation

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ESTABLISHED BY THE TREATY OF JUNE 9, 1855
CENTENNIAL JUNE 9, 1955

CONFEDERATED TRIBES AND BANDS
Yakima Indian Nation

POST OFFICE BOX 151
TOPPENISH, WASHINGTON 98948

GENERAL COUNCIL
TRIBAL COUNCIL

TESTIMONY TO THE SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES
PRESENTED BY: THE YAKIMA INDIAN NATION, January 7, 1986

RE: NATIVE AMERICAN CHILDREN, YOUTH AND FAMILIES IN THE NORTHWEST

The following testimony is submitted to the Select Committee on Children, Youth, and Families on behalf of the Yakima Indian Nation. It is submitted for inclusion in the hearing record regarding conditions and trends affecting Indian families and children living on reservations in the Northwest.

Before beginning the text of the testimony, the Yakima Tribal Council would like to thank the Select Committee on Children, Youth, and Families for having the foresight to make a special effort to extend their fact-finding to Indian communities. We are gratified that the committee recognizes that our families are Americans living in unique circumstances due to treaty obligations negotiated with the United States Government.

Our Council expects that through these efforts wide gaps in your information base regarding our Indian children, youth, and families will be enhanced.

INTRODUCTION

In 1855 the tribes and bands which constitute the Yakima Indian Nation signed a treaty with the United States Government. The treaty of 1855 created a new political entity, the Confederated Tribes and Bands of the Yakima Nation. The treaty was the principal catalyst for binding together, in a formal sense, politically autonomous local bands (fourteen total). Our treaty not only established a formal relationship between the Yakima people and the United States Government, but it also had far-reaching socioeconomic effects which continue to this day.

Presenting the select committee with a historical overview of the factors which have had impact on the healthy emotional development of our Yakima Nation families is not the purpose of this testimony. However, it should be pointed out to the committee that their data gathering should include historical factors which leave their negative imprint on our families to this day. An appropriate illustration of the pervasive social attitudes of historical times toward the Yakima people is expressed in the words of a missionary in his letter to the Commissioner of Indian Affairs "urging" the use of force to compel the Indians to give up pagan ways, learn to cultivate the soil, cut their hair, send their children to school and adopt "civilized" language, dress, houses and "way of life." The changes brought about are historically unprecedented in their scope and the rapidity with which they occurred.

The tribal family unit's survival is a concern the bands and tribes have continued to share in common. As the Yakima Indian Nation, these once autonomous groups, have remained steadfast in their dedication to its "future carriers of tradition", their children. The Yakima Indian Nation considers its children the primary resource for providing the link between generations, the carriers of tradition and culture, and for ensuring that the tribal

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family continues to exist. Although outside influences have interrupted the continuity of this tradition its essence is intact.

Our tribal enrollment is 7,164 with the majority of our membership residing on the reservation. (See Bureau of Indian Affairs Labor Force Report, Appendix #1.) Our land base of 1,371,918 acres is located in south central Washington and it consists of agricultural, forested and range land. Of significance to those not familiar with our reservation is the fact that we are a minority on our own reservation. Those not familiar with our reservation have difficulty understanding this. With the passage of the Indian Allotment Act much of their reservation went into non-Indian ownership. Our reservation has never been protected from non-Indian encroachment by our trustee, the Bureau of Indian Affairs. In addition, the largest minority population in the State of Washington are Mexican Americans, the majority of whom reside in Yakima county where our reservation is located. At peak harvest times this population swells to well over 25,000 on the reservation. Many of this group are illegal immigrants who often remain on the reservation year around. The negative socioeconomic impact of the Mexican migrant worker and the illegal alien has been considerable on our reservation economy, so much so that the Council has a special committee on immigration.

Other significant socioeconomic conditions of our population are:

--There are 5.06 persons in each family unit, per Yakima Indian Nation Needs Assessment, 1982.
--Out of our total family units, 56% have a female head of household.
--Our population has a 7th grade attainment level of education which compares with an 11th grade educational level for non-Indians in Washington State.
--There is a 72% unemployment on the Yakima Indian Reservation.
--Approximately 40% of our population are under 18 years of age.
The largest employer of the Indian population in Yakima County is the Yakima Indian Nation. (See Appendix #2)
--The male/female ratio of the Yakima Reservation population data shows that 52% of the population are female and 48% of the population are male.
--In 1984 in Yakima County where the major portion of our population reside, Indians accounted for one-fourth of the suicides. Comparatively, Indians make up only about 3.8% of the Yakima County population.
--Services provided by the Department of Social and Health Services for Indians in Yakima County increased 32% from 1983 to 1984. (See Table, Appendix #3)
--Children's Protective Service investigations of abuse and neglect of Indian children increased 23% and Indian children placed in foster homes increased by 36% from 1983 to 1984. (See Table, Appendix #3)
--AFDC for dependent children increased 56% from 1983 to 1984.

Our reservation for quite sometime has been designated as an economically disadvantaged area and as such we face many challenges and problems. Even so, there are many achievements which are worth mentioning which illustrate the resiliency, resourcefulness and perserverence of our people. Briefly some of those exceptional milestones having a direct effect on children, youth and families are:

HEAD START---The Tribe is in its 18th year of operating the Yakima Tribal Head Start Program. The professional and technical staff of 23

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are enrolled tribal members. It took several years before the Tribe was able to achieve having a certified Indian teaching and technical staff. It is significant that many of the Indian teachers, teacher-aides and counselors now working in the local school districts began their early training with this program. Enrollment in the program throughout the years has fluctuated between a high of 200 enrollees to a current enrollment of 139 enrollees. Head Start is a proven program nationally and on this reservation approximately 2,700 children have achieved higher levels of competence as a result of this educational effort.

Funding for Head Start is derived from the Administration for Children, Youth and Families, American Indian Programs Branch, Washington State Head Start and Yakima Tribal funds.

TRIBAL SCHOOL---In 1979 the Yakima Tribal School was established. The Tribe was able to capitalize on its Head Start experience and establish a school for students grades 7 - 12. The current enrollment numbers 130 students. The students who attend the Tribal School are those who were not succeeding in public schools. Services of the Tribal School include basic education, supplemental reading and math instruction, and special education services to eligible students. Related services include transportation and food service. Through this school, students who might otherwise drop out of the educational system are encouraged and offered an educational alternative. Between 10 - 15 students graduate from this accredited school each year.

MATERNAL CHILD HEALTH PROGRAM --- This program conducts well-child clinics, provides preventive care for women's health and counseling services, well-child surveillance for prenatal and postpartum clients. An outstanding feature of this program is that for several years it has met or exceeded the 90% immunization level for children 0 - 27 months. The tribe has an average of 200 - 250 deliveries per year. Much of the success of this program is attributable to its strong outreach effort. Well-child clinics are held out in the community. The attendance rate for these clinics has been as good as those of the Indian Health Service clinic. The program has a well-established tracking system. It is conducting community education regarding prenatal care. Through its well established tracking system the program has been able to identify high risk mothers and children thereby linking them to additional needed services. The Maternal Child Health Program is an excellent preventive health model.

The program personnel have dealth with several Fatal Alcohol Syndrome (FAS) babies. They know that there are a considerable number of babies affected with FAS. However, research needs to be conducted to determine to what extent. Indian Health Service has declared alcoholism the number one health problem of American Indians nationally.

Funds for the program are from an Indian Health Service contract and tribal funds.

HAK MU WE SHA---This family and children's services program, Hak Mu We Sha (HMWS) was originally founded in September 1975, and was funded as a project through the National Center on Child Abuse and Neglect. Services

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to Tribal families included early intervention/prevention, outreach and crisis shelter services. With funding shifts, the crisis shelter services discontinued, and NNWS made the transition into a well-established and creditable family and children's services program. Its major thrust now is to provide family crisis intervention/prevention services to avoid family breakup. Homemaker services and home counseling are core components of NNWS' program.

Nak Nu We Sha is certified as a child placing agency and has a contract with the State of payment of foster care services. It has established several Indian foster homes on the reservation (currently numbering 22) and to do casework on parity with the State Agency.

Nak nu we sha's Child welfare workers have a fluctuating caseload of 45 to 72 cases per month. The homemaker has a current caseload of 8 family units and the home counselor 15 family units.

The goals and objectives of NNWS closely parallel those of the Indian Child Welfare Act, even though services to families and children of our tribe pre-date that legislation. NNWS's records show that through these intervention efforts our children are either able to remain in their home, return to the parent(s) after a short placement, or are placed with a relative/extended family member.

On April 25, 1984, the Yakima Indian Nation presented testimony at an Oversight Hearing to the Select Committee on Indian Affairs United States Senate. A copy of that testimony is attached for review as the issues raised in it are still current, see Appendix #4.a.

This program is an example of how a community originated effort can develop into a prevention model for children and family services.

Funds for the program are from the Bureau of Indian Affairs, State Department of Social and Health Services contract, and the Yakima tribal funds.

The foregoing is a brief description of some of our efforts to strengthen and maintain the cultural integrity and development of our families. These activities have been continuous long enough to demonstrate dramatic positive results which have been documented. Before discussing issues facing our tribe regarding children, youth and families, we remind the committee before making its recommendations it must review the scope of responsibilities of a tribe.

The human service/education circumstances cannot be considered without at least an overview of the tribal council's total obligations to the tribal family which are considerable and too complicated to detail for purposes of this testimony. We caution the committee to bear in mind that the Yakima Nation has the same or similar responsibilities as those of a state. Resource management, provision of essential public health and safety services, effective land and water management, and other public administration duties are all critical elements for maintaining the reservation. One of the tribe's main responsibilities is maintaining a tribal law enforcement agency and an appropriate justice system.

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The remainder of this testimony will concern critical issues facing our tribal families.

ISSUES

Issue #1 - HEALTH CARE

The U.S. Department of Health and Human Services/Indian Health Service's busiest free-standing outpatient clinic is located on the Yakima Reservation. The clinic's outpatient visits increased 128%, from 19,156 in 1970 to 43,791 visits in 1984. For three years the Yakima Tribe has been designated as a priority with Indian Health Service for construction of a new clinic. It is now Indian Health Service's first priority for new construction. Our community clinic is an example of how government funding and community originated efforts can work for the benefit of the community. Direct health care originates at the clinic, however, services are extended into the prevention areas as well. This occurs through collaborative networking with the human service agencies housed at the clinic. Such efforts are minimized due to inadequate facilities.

For instance the Mental Health Program formerly housed in the clinic facility had to be relocated due to space limitations. When this happened the caseload of the Mental Health Counselors which averaged 18 to 25 per worker immediately fell. The program lost its accessibility to the client through referral from the medical personnel or through self referral. The community does not have access to a much needed service at a time when families are experiencing tremendous stress. This is only one example of how the community is affected by a lack of adequate clinic facilities.

The Yakima Tribe has struggled for several years to have funding appropriated for a new clinic facility only to be caught in funding reductions. The latest obstacle to clinic funding is the Gramm-Rudman bill. Delays in construction of a new facility escalates the cost to the government through inflation, by at least 19% per year. The construction of a new facility would save the government an estimated $1,000,000 annually because the tribal families would have access to direct health care services which are now purchased in the private sector at nearly double the cost. Services from a new facility could be provided at an average cost of $25.64 per visit versus an average cost of $45.50 per visit for comparable services from private vendors. In addition, the new facility could save an estimated $109,000 annually by providing, at cost, such services as audiology, optometry, physical therapy, and some medical and dental services which are currently purchased from the private sector.

Delays in construction of our proposed health care facility escalates the cost to the government through inflation by at least 19% per year.

Our clinic has just received a conditional national certificate of accreditation from the Joint Commission on Accreditation of hospitals (JCAH), see Appendix #5. Without a clinic appropriation we lose our accreditation. The JCAH is a private non-profit organization of health professionals who evaluates hospitals and ambulatory services according to national standards of quality care. This accreditation demonstrates a commitment to provision of quality care to children, youth and families of the Yakima Nation. A key to continued progress in this endeavor will be the new clinic facility. Provision and maintenance of essential health care systems is a trust responsibility which the committee should be concerned about fulfilling.

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Issue # 2 - Feminization of Poverty

One of the significant factors which is anticipated to shape American society during the next 15 years is what is becoming known as the "feminization of poverty". On our reservation we know that 52% of the heads of household are single females. Approximately 75% of the foster care cases which our children's services program handles are for mothers who are single parents. Very often our children are in foster care because the parent(s) are experiencing economic stress complicated by alcohol abuse. Our records show that the number of children found to be under the age of ten years is growing.

The Maternal Child Health Program and the Tribal School have recognized that preventive programs in regard to teenage pregnancies are needed. The Tribal School struggles with the unique needs of its student population who are young parents with limited parenting skills. These students have to combine the roles of student and parent. Day care is always a problem for these young students. The Maternal Child Health Program started a community education effort to address this problem. However, before it could show results, it had to be discontinued due to funding reductions.

The Yakima Tribe recognizes that on behalf of the tribal public, community education efforts must be organized.

Issue #3 - Troubled Indian Youth

The most under-served population on our reservation are teen-age youth. There are no crisis centers or group homes for our hard to place youth. Generally teenage youth in foster care are hard to place because of many risk factors. Our children's and family services program targets services to children under the age of 12 years because of funding constraints. The local Department of Social and Health Services office has very few placement facilities for teenage youth. It is not uncommon for a child to remain in the tribal jail for weeks at a time simply because there is no placement facility available. Youthful status offenders are incarcerated because they have parents who are unable to care for them. Our Mental Health Program has found that completed suicide and attempted suicides are usually among the younger population. In addition, the Mental Health Program has found that many of its clients experiencing emotional problems are individuals who experienced early separation from their parents.

There are pressures on our tribal school personnel to provide crisis intervention services in the absence of an extended support system. We have no way to screen our juvenile offenders to determine to what extent their behaviour is related to a learning disability or other handicapping condition such as Fetal Alcohol Syndrome.

The problems facing our troubled Indian youth are multi-faceted. In order to reverse the problems they face multi-disciplinary child protection teams and shelter care and group homes must be developed.

Issue #4 - Self-Determination

The Yakima Indian Nation has invested heavily into its programs both with funding and in-kind contributions. The "ready cash" to do this is from income derived through sale of our timber resource. The timber industry is depressed and the Tribe cannot continue its support of many programs.

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Investment in development of human resources has meant that little investment could be made in the future through economic development. Our Tribe has never had the flexibility for long term human resource development as well as economic development. As much as our people strive for and desire economic self-sufficiency this remains one of our most important problems. Solutions remain years away while the exploitation of our non-renewable natural resources continues.

Little incremental gains have been made, however, our Tribe along with other tribes still leads the average American in unemployment, child mortality, violent death, suicide, and alcoholism. Indeed, five of the poorest counties in the United States are located on Indian reservations.

Through failures in government policies our "treaty guaranteed" land-base has been eroded. Now we face the loss of our most valuable resource; the one resource which in the future could provide the means for self-sufficiency---WATER. The Denver Post (Nov., 1983), appropriately described the situation faced by our tribe and other tribes in regard to this resource:

"Indian water rights are under attack. Led by a Western president, a Western secretary of the Interior, three Western Supreme Court justices, and the governors and legislatures of a dozen Western states, the dominant society seems intent on eroding the Indians' right to water in this semi-arid region. More than 50 tribes are entangled in expensive litigation. A glaring and long-standing conflict of interest exists within the Department of the Interior adds to the crisis. To appease its Western constituency, the Reagan administration is intent on getting Western tribes to negotiate settlements -- even if the tribes aren't ready."

Whoever controls the water controls the land. The threat to our water resource is a threat to the very survival of our people...our children, youth and families. First the land, and now the water and next our tribal families!

Our tribe has never had a consistent source of funding in adequate amounts. Many of the sources of funding are through the competitive grants process. With the continued drastic reductions in funding levels, it is doubtful that our tribe will ever make up for the growth lost or that we will ever even get back to where we once were. In addition, much of our tribal funding is depleted as we utilize these resources for court litigation and lawyer fees for protection of our Treaty Rights.

* * * * * * * * * * * * * * * * * *

In closing, through our testimony we have tried to impress upon the Committee that its policy recommendations need to consider the catastrophic effects of the government's current policy to transfer responsibility for Indian affairs to the tribes and states. Economic freedom must be a reality before the government can withdraw from Indian affairs. Social policies meant for other segments of the population are being applied erroneously to American Indians, as well. The committee cannot ignore that social policies for American Indians must take into consideration unique historical, cultural and geographic factors which are based on TREATY RIGHTS, when making their policy recommendations on tribal families.

Respectfully submitted,

Melvin R. Sampson, Chairman
Yakima Tribal Council

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Appendix #1

Form 5-2119 Rev. Dec. 1983 — U.S. DEPARTMENT OF THE INTERIOR, Bureau of Indian Affairs

REPORT ON SERVICE POPULATION AND LABOR FORCE

Data are for March (month) 1985 (year)

Reservation: Yakima

County(ies): Yakima, Grant, Skamania, Klickitat, plus towns of Ellensburg & Wenatchee.

State(s): Washington

		TOTAL	MALE	FEMALE
A	Total Resident Indian Population (b+c EXCLUDING d)	7910	3851	4059
b	Within the reservation	4919	2422	2497
c	Adjacent to the reservation (in Okla., Indians in former reservation areas)	2991	1429	1562
d	Other Indians, not included in lines b and c above (In California, rural parts of counties with reservations or rancherias)			
e	Total under 16 years of age included in line "A"	2227	1129	1098
	RESIDENT INDIAN POPULATION OF WORKING AGE (16 years old and over)	XXXXXXXXXXXXXX XXXXXXXXXXXXXX	XXXXXXXXXXX XXXXXXXXXXX	XXXXXXXXX XXXXXXXXX
F	Total 16 years and Over (A minus e) (Age Classes g + h + i + j + k)	5683	2722	2961
g	16 - 24 years	1784	907	877
h	25 - 34 "	1274	614	660
i	35 - 44 "	913	395	518
j	45 - 64 "	1113	522	591
k	65 - years and over	599	284	315
M	Not in Labor Force (16 years and over), total (n + o + p + q)	1816	771	1045
n	Students (16 years and over, including those away at school)	456	190	266
o	Men, physically or mentally disabled, retired, institutionalized, etc.	581	581	XXXXXXXX XXXXXXXX
p	Women for whom no child-care substitutes are available	250	XXXXXXXXXX XXXXXXXXXX	250
q	Women, housewives, physically or mentally disabled, institutionalized, etc.	529	XXXXXXXXXX XXXXXXXXXX	529
R	Potential Labor Force (16 yrs. and over) F minus M	3867	1951	1916
S	Employed, Total (t + u)	1089	573	516
t	Employed, earning $7,000 or more a year (all jobs)	952	501	451
u	Employed, earning less than $7,000 a year (all jobs)	137	72	65
V	Not employed (R minus S)	2778	1378	1400
W	Of these, persons actively seeking work	1789	859	930
E	Tribal Enrollment	4597	2241	2356

Prepared by: Yakima Indian Nation Planning Program and BIA Reservation Programs

See Reverse: Superintendent's Evaluation of Data

Area Director

Area — Approval Date

Superintendent

Agency: Yakima — Approval Date

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Attachment to "Report of Labor Force, Employment and Unemployment as of (month) March (year) 1985	Area Portland	Reservation Yakima

Methods and sources. Few Superintendents are in position to provide an actual count of the population or labor force, although the use of such data by other Federal agencies has stimulated tribal interest in data improvement. Where an actual count has not been made, please describe briefly your method of estimating. Where studies from an earlier period have been drawn upon, identify each by title, author, and date and indicate how the data have been updated.

a-d Population estimates. 1980 Census used as a base, SMSA Table 30 for Yakima Co., Tribal Enrollment, and YIN Health Service Unit Report.

e-k Age cohorts - SMSA Table 55 General Characteristics for the Total and American Indian Persons of Reservations.

n-q Not in Labor Force - Minority Count Reports (SPI - P-105), Tribal Scholarships, Tribal School, and Vo-Ed.

s-u Employed March - Business Survey, Tribal Planning Program.

v Persons actively seeking work - Tribal Personnel, TERO.

SUPERINTENDENT'S EVALUATION OF DATA	RATING	LINES IN REPORT A	F	M	R	S	V	W
With respect to accuracy of the data in this report, the indicated items are rated as follows:	Highly accurate							
	Reasonably accurate							
	Unsatisfactory....							

(For items marked "unsatisfactory," explain your appraisal.)

Notes and Comments:

Superintendent's signature _____ Date: _____

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Instructions for Completing Form 5-2119 Rev. 12/84
Report of Service Population and Labor Force

Line A. Total Resident Indian Population - includes all Indians living within present reservation boundaries who are eligible for BIA funded services and those enrolled members of the reporting reservation, rancheria, colony, or other tribal entity living near the reservation who are considered part of the service population. See 25 CFR 20.1(r) attached. However, non-enrolled Indians who are native to the service area and are not receiving services from other BIA sources and who are not counted elsewhere, may be counted on this line if they are provided services at the reservation.

Include in the resident population (1) children away at elementary and secondary school who are attached to families in the aforementioned population; and (2) those whose reservation residence is presumed to continue while they or their heads of families follow seasonal job opportunities which take them away from their reservation temporarily.

Exclude from resident population (1) trainees in adult vocational schools under P.L. 959 and members of their families. (Such trainees and their families move away from the reservation to the training school and the object is to secure employment after completion of training; those who may later return to the reservation will be counted as of another date); (2) persons relocated for direct employment and the members of their families; (3) members of the Armed Forces; (4) students away at college; and all non-Indians living in Indian households.

If the resident population figure has sharply increased or decreased since the last report, please explain the change on page 2 of the Form 5-2119 under "Notes and Comments."

Line d. Other Indians, not included in Lines b and c. - Include Indians who live on or near the reporting reservation (rancheria, colony, etc.) who are not enrolled and not considered part of the service population of the respective area or entity.

Where Other Indians live near adjacent reservations within the same Agency, care must be taken to avoid duplicate counting from an Agency-wide perspective. If the adjacent reservations are in different Agencies, Agency jurisdiction lines should be respected to avoid duplicate counting between the respective Agencies.

Line F. Total 16 years of age and over - Conforms to the Department of Labor, Bureau of Labor Statistics lower age limit for statistics on the employment status of the population.

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Line S. Employed persons are those who:

(a) are at work for pay (employed by others), for profit (self-employed), or working without pay for 15 hours or more during the survey period on a family farm, ranch, or other family business; or

(b) have a job but are not at work, i.e. those who are not working and not looking for work, but have a job or business from which they are temporarily absent because of bad weather, industrial dispute, vacation, illness, or other personal reasons.

Lines t & u. Persons with income above or below $7,000. The purpose is to identify the numbers of persons who earn at least a base minimum at prevailing minimum wage rate.

Line V. Not employed persons are those who are not at work but:

(a) are awaiting to start a job within 30 days;

(b) are waiting to be recalled from layoff;

(c) have been looking for work within the last 4 weeks;

(d) are able to work but are not looking for it because they believe that work is not available.

Line W. Persons actively seeking work - include persons not employed who are looking for work. It is composed of groups (a), (b), and (c) listed in the preceding Line V.

Line Z. Tribal Enrollment - Report total tribal membership count as maintained by the individual tribes according to their specific rules of membership.

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Appendix #2

RECAPITULATION
GOVERNMENT SURVEY OF EMPLOYMENT
ILLUSTRATING INDIAN TOTAL MALE/FEMALE EMPLOYMENT
FEBRUARY, 1985

		TOTAL INDIAN	MALE	FEMALE
TOPPENISH				
CITY		2	1	1
US GOVERNMENT		111	67	44
STATE		14	8	6
YAKIMA INDIAN NATION		531	240	291
	TOTAL	658	316	442
WAPATO				
US GOVERNMENT		88	84	4
	TOTAL	88	84	4
YAKIMA				
CITY		7	7	
US GOVERNMENT		8	4	4
STATE		22	9	13
COUNTY		10	6	4
	TOTAL	47	26	21
SUNNYSIDE				
CITY		1	1	
U.S. GOVERNMENT		5	3	2
	TOTAL	6	4	2
GOLDENDALE				
CITY		1	1	
U.S. GOVERNMENT		1		1
STATE		2	1	1
		4	2	2
WHITE SALMON				
STATE		1		1
COUNTY		1	1	
	TOTAL	2	1	1
GRANDVIEW				
U.S. GOVERNMENT		1		1
	TOTAL	1		1
	GRAND TOTAL	806	433	373

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
REGION 2 YAKIMA COUNTY/YAKIMA, TOPPENISH, SUNNYSIDE
PORTION OF KITTITAS COUNTY/ELLENSBURG
1983/1984 INDIAN CHILD CASELOAD

	1983	1984
Child Abuse Cases Investigated by CPS	422	518
Children in Regular Receiving Home Care	148	151
Children in Special Receiving Home Care	1	0
Children in DSHS-Licensed Foster Homes	453	618
Children in Private Agency-Licensed Foster Homes	191	222
Other Services to Children	587	918
Children in Group Home	62	31
Children in Adoption Planning	8	35
Crisis Intervention Cases	14	3
TOTAL	1,886	2,496

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S. HRG. 98-952

OVERSIGHT OF THE INDIAN CHILD WELFARE ACT OF 1978

HEARING

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

OVERSIGHT ON THE IMPLEMENTATION OF THE INDIAN CHILD WELFARE ACT OF 1978

APRIL 25, 1984

WASHINGTON, DC

U.S. GOVERNMENT PRINTING OFFICE

37-606 O WASHINGTON : 1984

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PREPARED STATEMENT OF MELVIN SAMPSON, CHAIRMAN, LEGISLATIVE COMMITTEE, YAKIMA TRIBAL COUNCIL

Good morning, Mr. Chairman and members of the Senate Select Committee on Indian Affairs. My name is Melvin Sampson. I am an enrolled member of the Yakima Indian Tribe and an elected member of the Yakima Tribal Council. I am, also the Chairman of the Tribe's Legislative Committee. Our Tribe is a federally recognized tribe established by treaty in 1855. Our reservation is located in South-Central Washington. On behalf of the Tribe, I would like to thank the Committee for the opportunity to present testimony on the Indian Child Welfare Act of 1978, [I.C.W.A.] P.L. 95-608.

Let me begin by stating that the Yakima Indian Nation was very active in pursuing the passage of this legislation which has had a major impact on State policy in regard to how indian child welfare cases are handled. Our Tribe joined with other tribes and Indian organizations to convince Congress that this legislation was needed to prevent abusive practices in the removal of Indian children from their parents. Congress heard testimony from several hundred witnesses in hearings conducted from 1974 to 1977 and reviewed reports of the American Indian Policy Review Commission. The enactment of the I.C.W.A. was a direct result of our outcry that Indian children were being lost to non-Indian foster and adoptive homes at an alarmingly disproportionate rate.

Since enactment of this legislation its most important, positive aspect has been productive interactions brought about between tribal and state governments which have been historically uncommon. The Act has provided a framework for advancing cooperation between states and tribes in the delivery of Indian child welfare services by assigning definite roles to tribes, states and federal agencies.

Washington State now has a special Washington Administrative Code, requirements concerning Indian Child Welfare, which state agencies must follow when dealing with Indian child welfare cases. The State of Washington has legislatively recognized that the purpose of the I.C.W.A. is to prevent the unwarrented breakup of Indian families and to give tribal governments substantial authority in determining Indian child custody matters. To illustrate the extensive impact of the Act and the Washington Administrative Code, the following are quotes from letters prepared from four regional district Department of Social and Health Services Offices in regard to the I.C.W.A. These responses were solicited by the State Office of Indian Affairs who requested input on recommendations related to amendments to the Act:

"The single most important aspect of the current Indian Child Welfare Act has been the creation of Local Indian Child Welfare Advisory Committees. Offices with active committees find that communications and planning for Indian children has been greatly enhanced through committee activity."

"Placement and custodial requirements set forth in the act have brought about greater awareness on the part of non-Indian DSHS staff of the special needs of Indian children entering the social service system. Through information and committee activity the department is better equipped to address those needs."

"The Indian Child Welfare Act is, in and of itself, viewed as a positive move to protect the best interests of the Indian child and his/her unique culture and heritage. Certainly it has heightened awareness in our communities for both Indian and non-Indian people and has improved Department child welfare services to children and their families."

"The Indian Child Welfare Act is vital to the preservation of Indian families and we look forward to continued coordinated efforts in assuring its implementation."

The full text of their responses and recommendations in regard to the Act is included in the appendices section of this testimony.[1] We strongly suggest review of their recommendations which parallel tribal concerns in many respects.

The development of these attitudes on the part of the State agencies would never have occurred without the Indian Child Welfare Act. Again, this is the Act's most important, positive aspect to date.

Despite this important breakthrough in tribal/state cooperation, the intent of the law is far from achieving its purpose. Since enactment of P.L. 95-708, its most negative aspect has been a lack of adequate congressional appropriations. No matter how well-intentioned the purpose of this law, it is an empty gesture without adequate funding to implement and carryout its purpose. Six years after the passage of this Act, securing adequate funding is the next serious obstacle tribes must overcome. Indian Child welfare needs were startlingly illustrated and overwhelming evidence

[1] See Appendix, material submitted by Don Milligan, MSW, Indian Affairs Section, Department of Social and Health Services, State of Washington, attachment No. 5, p. 406.

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was presented to Congress six years ago. The needs haven't changed. However, without tribal program development and maintenance funds expansion of existing systems or development of new systems isn't feasible.

Currently our Tribe operates a Children's and Family Services Unit. It has been in operation since 1973. Part of this unit's function is to act as a licensing and fostercare placement agency. Our staff has an active case load that fluctuates between 45–50 children per month. In addition, the Tribe has a Children's Court. The services the Yakima Tribe provides through these two systems are by no means comprehensive or sufficient to meet our needs. The Tribe has had to piece together the services by combining limited tribal, Federal and State funds. We have had to prioritize our children's and family services.

To illustrate the problems the tribe is experiencing due to a lack of resources, our staff participates in weekly case reviews conducted by the local Department of Social and Health Services Office. On the average two to four Indian child welfare cases are reviewed. Of these cases, the Tribe is able to assume custody of only one to two cases per month. The Tribe does not have the resources to assume custody for all of its children. Conservatively, from just our local area alone, the Yakima Tribe is having to turn down custody for a minimum of one hundred-fifty-six dependent children per year. This estimate does not include those children who are turned away from other regions in the state and-or by our court system. This example illustrates the severity of the dilemma caused by inadequate funding. Even though the Yakima Tribe has exclusive jurisdiction, it has no means to fully respond to the over-all Indian Child Welfare needs. Our Tribe is put in the precarious position of deciding which child welfare cases it will accept or reject.

In addition, the process for receiving what limited I.C.W.A. funds that are available, a competitive process is utilized, therefore, tribes can't depend on a continuity of programming. To compound the issues, the B.I.A.'s programs have received repeated funding reductions leaving only token programming funds for the added responsibility that this Act represents.

The concern for adequate resources is shared by the State of Washington as is evidenced in their letters included as part of this testimony. I quote from the letter from the Regional Administrator in our area whose response is representative of other regional state officials:

"One of the most difficult barriers we find to full implementation of the intent of the Act is the shortage of funding for the Indian Child and Family Service Program as described in Section 201. As you know, although the Yakima Tribe has exclusive jurisdiction, the child and family program is not fully funded. This situation leads to frustrated expectations for both tribal members and other community agencies, as well as leaving the department to provide services to a number of Indian children and families, who, given adequate funding, could be served by their tribal program instead."

A member of the State Office of the Attorney General's staff expressed similar concerns in her letter of January 17, 1984. (See Appendices)

"The intent and spirit of the Indian Child Welfare Act is to have Indian Children remain with Indian people. A basic concern that I have as do others in my office who work with the I.C.W.A., is that the lack of funding to tribes serves to undercut the tribes; (and the State's) ability to carry out the purpose of the Act."

These shared concerns on the part of State Offices are significant and representative. The problem for not carrying out the purpose of the law is recognized by the State as one of a lack of funds. Our State recognizes that with adequate funding tribes will be able to provide child welfare services competently. We need desperately to develop our social service programs for children and families and expand our judicial system.

The Yakima Indian Nation strongly recommends that funding sufficient for program development and maintenance be appropriated. Funding to the tribes should be on an entitlement basis and not competitive.

There are other issues of concern that the Yakima Indian Nation shares in common with other tribes. Since these tribes will be speaking to those issues in their presentations the balance of our testimony will briefly address two other areas of concerns:

1. Notification/Compliance—Whether or not notice on foster care placement and termination of parental rights was provided in a proper and timely fashion to tribes should be monitored by the Bureau of Indian Affairs or another identified agency or group. This issue of compliance regarding notification is corroborated by State agencies. One quote from a State office (see appendix) illustrates the severity of concern:

"Several obstacles have been encountered in following the mandates of the Act, and in enforcing the policies set forth in WAC. Specifically, Judges in King County

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appear to lack understanding of the Act. There is general lack of recognition for the unique political and cultural status of Indian people. Court decisions have been rendered which have gone against the intent of the Act. Bad precedents have been set for future cases (e.g. maintaining Indian children in non-Indian placements when family or Indian resources were available). It's recommended training be made mandatory for Judges who preside over Indian Child Welfare cases."

Our Tribe is aware that public and private agencies are not complying with the Indian Child Welfare Act. There needs to be controls for compliance on these agencies. Again, our State has expressed these same concerns:

"There are still too many Indian children being placed in non-Indian homes and perhaps it would improve if the law had a stronger way to compel that the law be followed."

"Indian cases serviced by private agencies is another area of concern. There have been a number of instances of non-compliance by private agencies. Presently, there is not a system to monitor private agencies. Region 4 DDHS and the LICWAC have sought to establish informal agreements with the various private agencies to staff their Indian cases. Unfortunately there has been a number of problems. A legally mandated system of monitoring needs to be considered."

The Yakima Tribe recommends that a method for monitoring and compliance be established.

2. Expert Witness—A definition for expert witnesses should be included in the Act. An expert witness should be required to be knowledgeable about the I.C.W.A. and possess a cultural awareness about the tribe involved. It is recommended that the definition included in the B.I.A.'s guidelines for State Courts be adopted, see Appendices for excerpt of the guideline.

The Yakima Indian Nation realizes that there are other important concerns with the Act which have to do with juvenile justice, inheritance, voluntary adoptions, and adoption penalties. However, the focus of our testimony has been on the critical funding issue. This issue overrides all other concerns. Without an adequate and reliable funding base, other changes and/or amendments to the Act will not help our Tribe to assume total and exclusive jurisdiction over all Indian child welfare matters for our tribal members.

As Indian people, united on this issue of Indian child welfare, we present our case on a National tragedy. The Yakima Indian Nation maintains that our cause was presented with overwhelming evidence and justification six years ago. This Act, without proper appropriations, is now adding to the problems evidenced six years ago, by causing manifold complications resulting from Tribes trying to handle cases when there are not adequate social services and judicial systems to ensure proper care and due process for Indian children.

Our most valuable resource is our human resource . . . our children. The tradition of the Yakima Indian Nation considers its children its primary resources for providing the link between generations, the carriers of tradition and culture and for ensuring that the Tribal Family continues to exist.

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Appendix #5

Joint Commission on Accreditation of Hospitals

December 20, 1985

William Murray
Chief Executive Officer
Yakima Indian Health Center
Route 1, Fort Road
P.O. Box 1104
Toppenish, WA 98948

Dear Mr. Murray:

The Accreditation Committee of the JCAH Board of Commissioners is pleased to award your facility accreditation with contingencies and time frames as described in the attached report.

A list of recommendations is enclosed which should be considered your objectives and should be put into effect prior to the next survey. Except as required by law, this report is confidential on the part of JCAH; the further release of its content is a matter for your consideration and decision.

As a condition of accreditation, you are required to notify JCAH of any changes in ownership and delivery of patient services as contained in the General Administrative Policies and Procedures Section of the Accreditation Manual for Ambulatory Health Care.

As an accredited organization, you are entitled to display a Certificate of Accreditation. Please complete and return the enclosed form to the JCAH Certificate Coordinator to assure that your Certificate is accurately prepared. This Certificate will be forwarded to you four to six weeks from receipt of this form. The Certificate of Accreditation and all copies remain the property of JCAH and must be returned if your organization is issued a new certificate reflecting a change in name or if accreditation expires or is withdrawn or revised for any cause.

Thank you for your support of and participation in voluntary accreditation.

Sincerely;

Elizabeth Flanagan

Elizabeth Flanagan
Director
Accreditation Program for
Ambulatory Health Care

cc: Chief, Health Care Administration, Indian Health Service
Paul A. Nutting, M.D., Associate Director for Quality Assurance

875 North Michigan Avenue
Chicago, Illinois 60611
312/642-6061

Member Organizations
American College of Physicians
American College of Surgeons
American Dental Association
American Hospital Association
American Medical Association

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YAKIMA INDIAN HEALTH CENTER
TOPPENISH, WASHINGTON

DATES OF SURVEY
SEPTEMBER 12 & 13, 1985

SURVEYORS
MARVIN MCCLELLAN, M.D.
LARRY J. JOHNSTON, ADM.

ACCREDITATION DECISION: Your facility has received a three-year accreditation contingent upon compliance with the recommendations in this report preceded by the symbol (C). These recommendations are summarized below for your convenience.

1. Insufficient information contained in a significant number of summary lists in patients' medical records.

CONTINGENCY: A written progress report will be required within approximately nine (9) months from the date of the Accreditation Committee meeting of December 20, 1985. This report will address only the recommendations on the following pages preceded by the symbol (C). In addition, the recommendations preceded by the symbol (+) should be given a high priority and must be in compliance prior to the next full survey.

The written progress report should consist of an audit on the use of summary lists in a sample of approximately 100 medical records.

The written progress report should be completed and sent to:

Progress Report Coordinator
Accreditation Program for Ambulatory Health Care
Joint Commission on Accreditation of Hospitals
875 North Michigan Avenue
Chicago, Illinois 60611

ACCREDITATION COMMITTEE ACTION: The results of this report will be presented to the Accreditation Committee. The facility will be notified by letter of the committee's decision.

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RECOMMENDATIONS FOR FUTURE COMPLIANCE

QUALITY ASSURANCE

(+) 1. The scope of the quality assurance program includes at least the activities listed in Required Characteristics E.1 through E.9 and described in or related to other chapters of this Manual: (1.E)

a. clinical performance is evaluated ("Quality of Care"); and (1.E.3)

The surveyor reported that a formal program to appraise the competence of supervised practitioners is lacking, although such a program is in the planning stages. It was noted that an increased emphasis on clinical performance in the quality assurance program is needed.

b. patient satisfaction is evaluated ("Administration," Required Characteristic C). (1.E.5)

The surveyor reported that a patient satisfaction study has been done, but no reports were available for review, nor is there evidence that the results were reviewed by the governing body and incorporated into the quality assurance program.

(+) 2. There is ongoing collection and/or screening of, and evaluation of information ing care and to identify problems that have an impact on patient care and clinical performance. It was noted that care is not being monitored in an ongoing fashion as quality assurance activities continue to be "episodic" in nature. (1.F.1)

(+) 3. The findings, conclusions, recommendations, actions taken, and results of actions taken are documented and reported through channels established by the organization. (1.F.4)

(+) 4. The status of identified problems is tracked to assure improvement or resolution. (1.G.3)

5. Information from departments or services and the findings of discrete quality assurance activities are used to detect trends, patterns of performance, or potential problems that affect more than one department or service. Specific reference is made to an inadequate flow of quality assurance information throughout the organization. (1.G.4).

MEDICAL RECORDS

(+) 1. Reports, histories and physicals, progress notes, and other materials, such as laboratory reports, X-ray readings and consultations, are incorporated into the record in a timely manner. It was noted that reports are received by physicians in a timely manner, but often are not posted in the medical record until seven to ten days later. (3.G.)

(C) 2. The summary list includes, but not be limited to:

a. significant medical conditions; and (3.I.3.b.)

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It was noted that 12 of the 47 charts reviewed lacked significant medical conditions. Examples of missing data included past/present history of the following: arthritis, narcotic addiction, alcoholism, pregnancy, anemia, gastroscopy, and bowel obstruction.

b. currently or recently used medications. (3.I.3.d.)

Specific reference is made to the lack of documentation that drug lists are used.

(+) 3. When a patient was treated elsewhere - such as at a hospital, ambulatory surgical facility, nursing home, or physician's or consultant's office - clinical summaries or other pertinent documents are obtained when necessary for promoting continuity of care. Specific reference is made to occasional delays in incorporating hospital reports in the medical records. (3.M.)

FACILITIES AND ENVIRONMENT

(+) 1. The organization's facilities are inspected at least annually by an authorized inspecting agency. (7.A.2)

(+) 2. The organization's facilities are inspected at least annually by an authorized inspecting agency, and the report and any plan of correction are made available to the survey team. Specific reference is made to the lack of documented inspections and subsequent inspection reports. (7.A.2.a)

3. Examination rooms, reception areas, and dressing rooms are constructed and maintained to assure patient privacy during interviews, examinations, treatment, and consultation. Specific reference is made to inadequate privacy in the main treatment area due to the proximity of the examination rooms to the doctor's station. (7.F.)

4. The space allocated is adequate for the activities performed. Specific reference is made to inadequate space for the following:

a. pathology and medical laboratory services;

b. radiology services;

c. pharmaceutical services;

d. examination and treatment rooms;

e. reception areas; and

f. medical records. (7.I.)

******

mb
11/5/85

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Additional Testimony of Dr. Marilyn Bentz

Families of the Northwest: Culture and History

My presentation is an overview of those aspects of the history and culture of the people of the Northwest which affect Indian children and families today. The Northwest geographic area of the United States encompasses the states of Washington, Oregon, Idaho and Montana. During the prehistoric period this land belonged to the Indians of the Northwest Coast, Plateau and Plains cultures. Although the rituals and material cultures varied widely between these three cultural areas, all were hunters and gatherers who shared many of the same religious and social values. Reference will be made to the other two cultural areas, but the Northwest Coast cultural area will primarily be used as an example to describe the close interaction Indians had with their environment. These were loosely organized societies which developed out of the cooperation needed to subsist in their environments. They were based on kinship, a high degree of communal cooperation, and religious and social values of sharing and respect for all things, both animate and inanimate. Native child rearing practices and the character of Indian family life will be described. And finally, time will allow only an examination of one Bureau of Indian Affairs policy, the boarding schools, which had a major role in causing disruption of the Indian family.

The Northwest Coast cultures extended from the Pacific Coast to the Rocky Mountains. These people were water-oriented, living along the rivers and coast in permanent villages consisting of magnificent cedar plank longhouses up to 520 feet in length. The regularity of abundant fish runs and a highly

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developed technology for the preservation of fish allowed people of the region to live a semi-sedentary life, even though their cultures were of a hunting and gathering type.

Most food was gathered and processed during the Spring, Summer and Fall. Everyone in the village cooperated in the harvesting of fish. The men built open-work fences, called weirs, which permitted the flow of water but diverted the fish so that they could be more easily harpooned, netted or trapped. The women cleaned and smoked the fish to preserve them for later use. During the time between fish runs, people would periodically travel in family groups to hunt game or collect plant foods in season. Winters were spent in the village making and repairing items used in subsistence and developing a remarakable material culture that included clothing made from cedar bark, large ocean going vessals used by some coastal people to hunt whales, and elaborately carved and painted wooden utensils, storage units, containers and items used in ceremonies. Winter was also a time to reaffirm kinship ties, celebrate marriages and births, and to recognize the social status of individuals through the conduct of potlatches, highly formalized ceremonial gatherings which included feasting, dancing, and a redistribution of wealth through the presentation of gifts by the potlatch host to the other participants. Northwest Coast societies were organized by kinship, with the heirs to the longhouse responsible for organizing the group for subsistence and defense. Although there was a social hierarchy based on the ownership of crests, names and material wealth, all members of these societies enjoyed the same standard of living, even the

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slaves, individuals who were captured in raids on other groups and held unless purchased back by their families. There was no leisure class; everyone participated in subsistence activities, ate the same food, and lived in similar types of dwellings. Even the retention of hereditary leadership was dependent upon approval of the kinship group. There were specialists, such as canoe makers, master carvers and whalers, who worked at tasks demanding a high degree of technical skill. Upward mobility in the social hierarchy was difficult, but could be accomplished through accumulating wealth using special skills or by training to become a shaman. Through the conduct of rituals, the use of medicinal herbs and communication with spirits, Shamans were believed to have the capacity to cure illness or cause misfortune.

Not only the specialists had to command vast amounts of information. Since the only way to preserve knowledge was through memory, every individual in the society had to know vast amounts of information just to conduct the daily tasks necessary for survival. For example, the hunter had to know how to craft his bow or make his spear, what the life cycle and migration patterns were of the animals he hunted, and how to subsist alone in the woods. In addition, he would have to have comparable amounts of complex information in order to carry out other subsistence activities which were important to him, his family and community.

The abundance of foods and raw material necessary for an elaborate material culture were among the best that hunters and gatherers enjoyed anywhere in the world. Life was good. However, it was the resourcefulness, industry and ingenuity of the Indian population that enabled them to take advantage of

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this bountiful environment. How were these traits and the knowledge necessary to perpetuate such a rich culture preserved in societies in which there were no books to store knowledge and no formalized schools to educate children?

Children learned by watching and working along with their parents usually in the company of peers in the extended family living group. Rules of behavior were passed on through observation, story telling and the adult instruction and supervision which accompanied tasks for which children were responsible. These traditional economic activities included many components that we associate with recreation today. These usually involved: group endeavors which allowed a high level of social interaction (weir building, preparation of food for storage, berry picking and gathering other plant food, etc.); situations with the potential for adventure and excitement, such as exploring new terrain looking for berries or pursuing and killing game; an opportunity for group recognition of individual skills which would help to affirm the individual's identity, similar to that provided through athletic competition today; and an exercise of the individual's initiative and resourcefulness in determining when, where and for how long he wished to work. In addition, these activities were seasonal and, even though they might require intense labor, were unlikely to become tedious in the way that a fully predictable eight-hour-a-day, year-round job might.

Education for tasks children had to learn for survival as adults were integrated into every aspect of of day-today living. Story telling in the evenings around the fire or during idle winter days was probably the most abstract and structured level

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of instruction. We know today how much children enjoy listening to stories read or told by their parents. For Northwest Coast people, this pleasureable activity constituted the only formal education. Thus the knowledge and motivation for involvment in learning was nurtured through the warmth and pleasure of interaction within the extended family. Although most of the visible trappings of culture were different in Plateau and Plains cultures, the nature of interpersonal relationships were much the same and were guided by the same respect for the freedom of individuals, including children, permissiveness in childrearing and education through participation in the economic activities of the family from early childhood.

The question which must be addressed is, how did such a resourceful, independent people come to be burdened with the most grevious socioeconomic problems found in the population of the contemporary United States? Indians in the Northwest were still living in their Native territories practicing a traditional way of life when most of the treaties were made in 1855, which settled them on reservations. This was only onehundred and thirty years ago. The grandparents of people my age were children then. Why were such a capable people not able to adapt to the new circumstances more effectively? The answers to most questions about the derivation of social problems are usually not simple to explain because of the complexity of their causes. Explanations of Indian alcoholism, family disorganization and poverty also have multiple roots, but an adequate explanation can be provided with reference only to the federal policies imposed on Indian people.

Prior to contact with the first whites to arrive in the

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Northwest, Indian populations were swept with diseases transmitted through trade relations with Indians from other areas where whites were already present. Without immunity from these new diseases, Indian populations were decimated. A loss of large numbers of the population almost overnight has much more severe implications for such societies who have no written language. Knowledge important for survival may be lost if all people in a community who possess it die at once. People have to regroup, form social and economic ties with outsiders and attempt to defend themselves from enemies and keep ceremonial and ritual activities going through innovative means. Those Indian communities who remained isolated from contact with settlers the longest appear to have made such transitions successfully by the time settlers began coming into their midst. One would think that such a major reshuffling in these societies might be more difficult than the adjustments that had to be made to the establishment of reservations, particularly if a reservation were in a tribe's native territory. And it might have been, if not for one federal policy which forced a much more traumatic adustment on Indian people than had ever been imposed by the epidemics.

From 1880 to 1920 the Bureau of Indian Affairs had a policy of sending Indian children to boarding schools which were often so distant or difficult to travel to that children might go years without returning home. Policies in these schools were consistent. Indian children were prohibited from using their own languages, often under threat of punishment if they disobeyed. They were to attend classes one-half day and work the other half-day. Their time was rigidly scheduled with bells and line-ups

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marking the beginning and ending of all school activities, and there was very little unstructured time available for play. The curriculum was standardized and scheduled; children were to be doing the same thing at the same time of day in every school. This effort to teach Indian children a different way of life and to eliminate native culture was the most drastic and probably the most destructive of all federal policies implemented by the Bureau of Indian Affairs.

Unable to bear the psychological stress brought on by separation from their parents, many children ran away. Some could not manage such full days without becoming ill. Conditions in these schools were crowded and infectious diseases spread rapidly because sick children were not isolated. Tuberculosis and trachoma (an eye disease that often results in blindness) were major problems. The childrens' diets were often at starvation level. Funding for the boarding schools was so low that food was provided at an average of eleven cents a day, at a time when thirty-five cents a day was the minimum for enough food of sufficient variety to keep a growing child health and vigorous.

During the school year entire Indian communities were bereft of school age children. I have heard Indians who were parents in that era speak of the sadness and despair they felt without the laughter of children at play outside or their company in the home. They said the community seemed to silent and dead. Contrast this with the native life described previously in which parents and children participated in all aspects of life together. To get an emotional understanding of what this experience must have entailed, try to imagine what the

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implications would be for Americans today if Russia were to conquer us, confine us to very small areas in the most undesireable parts of our country and then remove our schoolage children to boarding schools where they were forbidden to speak English, had to communicate in Russian and were forced to work one-half of every day to help support the schools. Even this example pales in comparison to the magnitude of the psychological trauma that both Indian parents and children must have experienced, since the Russian and American cultures of today are much closer than were the Indian and white cultures of that time.

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